

ANNALS OF IOWA



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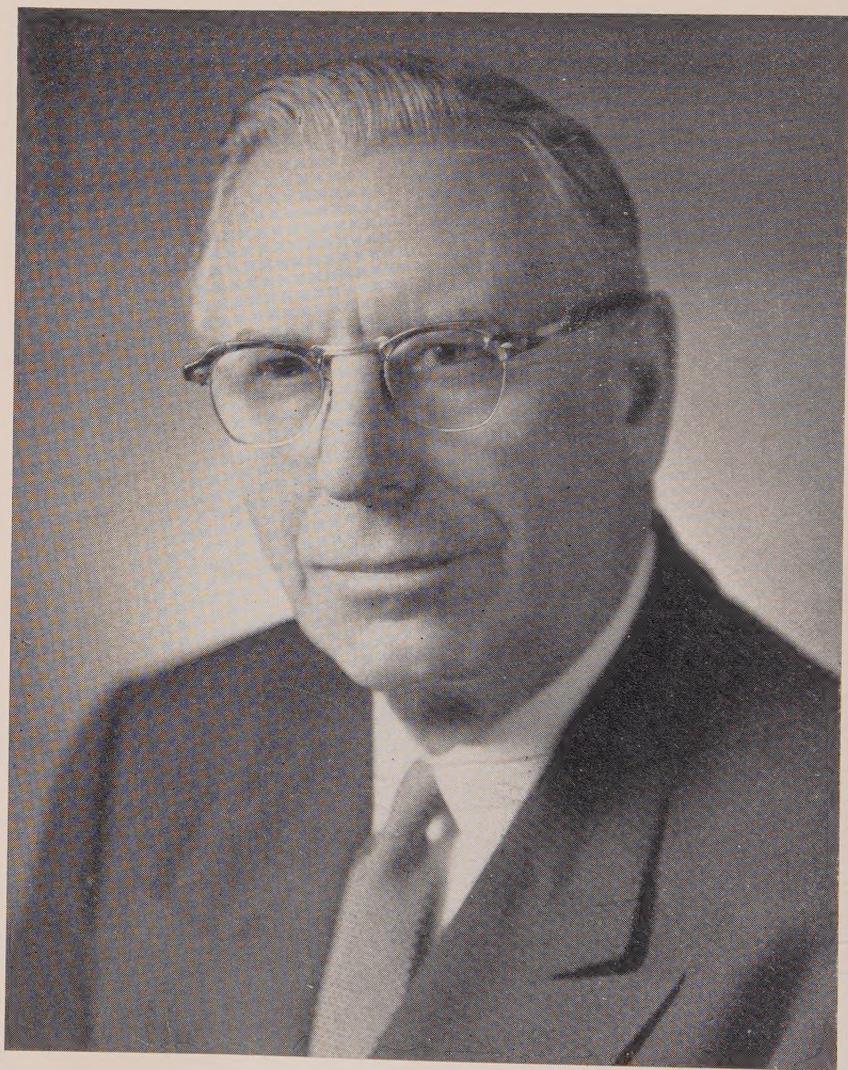
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JUDGE HAROLD E. DAVIDSON
CLARINDA

| | |
|--|-----------|
| State Representative | 1919-1921 |
| Judge District Court | 1943— |
| President Iowa Pioneer Lawmakers | 1957-1959 |

Annals of Iowa

ESTABLISHED 1863

VOL. XXXIV, No. 1

DES MOINES, JULY, 1957

THIRD SERIES

Pioneer Lawmakers of Iowa Meet

March 19, 1957

By WALTER H. BEAM, Secretary

The morning session of the Thirty-fourth Biennial meeting of the Pioneer Lawmakers Association of Iowa opened in the General Dodge room in the State Department of History in Des Moines at 10 o'clock, Judge Harold E. Davidson of Clarinda, vice-president, presiding. President Frank Shane of Eldon was not present on account of illness and a fire shortly before having burned his office and library.

Several inclement days before the meeting reduced the attendance to some forty-five members. Fortunately all those listed to appear upon the program of the day were present.

Upon assembling the invocation was given by Curator Claude R. Cook, formerly for many years minister in the Iowa Conference of the Methodist Episcopal church.

The Rev. Mr. Cook: Our Heavenly Father we acknowledge Thy blessings and our responsibilities in relation thereto. We wish to thank Thee this morning for the service of these men who have given of their time and their energy and all of their resources to service to make this the great state it has become and a commonwealth of which we are all proud.

We are grateful for men of ability who have served so faithfully and so well to make our place of residence a happy one, a safe one and of which we are proud.

We ask Thy blessing upon our governor, upon the present

legislature and all of the officials of our state and pray for Thy guidance in this session this morning, in the afternoon joint session and 'all through the rest of our lives, For Christ's sake, Amen.

Mr. DAVIDSON: Gentlemen, it is now my distinct privilege and pleasure to present to you a man whom some of you have not known very long. In fact, I have not known him very long, but it is certainly an honor to have the opportunity to present to you the governor of Iowa, Hon. Herschel Loveless.

Gov. LOVELESS: I have been assigned the very pleasant task of extending a welcome to you. I think it is presumptuous of me to attempt to stand here before you this morning and extend a welcome to you back to your old home. I am sure that welcome has been extended to you many times and will be in the future.

We think a great deal at the present time that we have a lot of problems that are insurmountable, but I think in each session you have faced probably many times the same problems, or less problems have presented themselves and you have solved them pretty well. So I think we need not be too disturbed, because I think in the final analysis this session, as past sessions have, will arrive at some solutions to those things that are current today.

I think, as I look out over your faces, many of you I have known in the past, some I have just met this morning, but each name means something to me. I have the utmost respect for you that have created the laws under which we are operating the State today. I have the utmost respect for your abilities and your interests in the State of Iowa.

So, I can only say to you I wish you the very best throughout the sessions today and would like to extend to each of you personally my very best wishes for continued good health and happiness in the coming years.

Mr. DAVIDSON: I think most of you here know the gentleman who is to respond to the welcoming words

by the governor. He comes from my county and has served in both the house and the senate.

It is a pleasure to present to you the Hon. Earl Fishbaugh of Shenandoah.

MR. FISHBAUGH: Yesterday I received a letter from the American Bar Association stating that it had caused to be erected at Runnymede in England, a beautiful monument commemorating the Magna Charta which was there signed; and I am going to confess to you that as I read those magic words, Runnymede, 1215, Magna Charta, a thrill went through my entire body because it was there at that time and place that freedom was born.

As I thought about that particular time and place, about that historic occasion, I was almost overcome with emotion, but I read on. The letter said that there would be a very simple inscription upon that shaft and it would read "Freedom Under Law." Freedom under Law! Before my eyes flashed the scene at that far distant time of 1215 in Runnymede. There stood the defiant tyrant, King John, defeated. Around him crowded the victorious barons demanding of him that he sign the Great Charter of all our liberties. On the ground were the dead and broken bodies of all those brave men who had not survived their victory.

Suddenly there came to me again the awesome responsibility that every legislator, every judge, every governor, has to maintain inviolate that precious human liberty which those men and thousands like them who have since died in defense of liberty have granted to us.

And it seems to me, gentlemen, that there is an obligation too, which devolves upon men, members of a body such as this. Because of our training, because of our experience in government, we do have a very keen responsibility to maintain a constant vigilance to see that that most priceless of all heritages, human freedom, is retained inviolate and retain that equal opportunity — equal opportunity, the one thing which makes America the greatest in the world, with its human liberty and republican form of government.

It is in that spirit, Governor Loveless, that I express our thanks for your words of welcome. I am confident we will find much pleasure and much joy meeting old acquaintances today and reminiscing. That will not be the chief cause or the chief reason for our meeting. We all remember the day when we walked to the well of the chamber and took the oath of office and I believe it is with that same sense of dedication we should always vow to protect and preserve this wonderful land which we all love.

Mr. DAVIDSON: Thank you, senator. I would like to say this much more to the governor, that he may be assured that each and every one of us is always available if there is anything we can do to help or assist in the problems I know are great and that he will be confronted with.

At this time it is usually customary to appoint a nominating committee who may retire, if they desire, and I am going to ask Mr. Clarence Knutson of Clear Lake, Mr. Lyle Hall of Eldon and Mr. Emory English of Des Moines to serve in this capacity.

It is not my purpose to reiterate part of my afternoon address here now, nor either to bore you with another address and make you listen to two of them in one day by one man. However, suffice it now to say this: that I think the duties of the congress and of the state legislature throughout the United States this year are particularly serious and definitely important to the future of our country.

This afternoon I am going to talk on the theme of states' rights; that is, "Our Liberties We Prize and Our Rights We Will Maintain," is the subject.

I want to just take you in on this. I think that there are too many people letting our liberties go, as Senator Fishbaugh said, a little at a time without realizing the importance of each step taken. Some day we are going to be consumed by the Federal government and the states are going to be reduced to satellites. I think that it is an important thing to maintain and preserve the two forms of sovereignty of the states and of the federal government and the Constitution provides a place for each.

Also, having had some experience in private practice and experience on the bench, I feel that the judiciary of our country and of our state have a tremendous responsibility to preserve inviolate the liberties and freedoms which, as the Senator so well stated, did originate in Runnymede in 1215 when King John was required to sign Magna Charta. As you all know,

our Constitution was largely framed after that Magna Charta and many of the principles contained therein are in our constitution and they were designed solely and entirely to defeat autocracy and for the purpose of liberty and freedom of the people themselves.

These are cherished things we have inherited and we of this generation should, as I see it, extend every effort to preserve those very things. And we are letting them slip a little at a time, a little at a time, a little at a time. Only a few people seem to be involved at any one time or, perhaps some group, so-called group, minority group achieves some temporary—"benefit"—I'll call it, which in the long run just means disaster. So we as—Well, we're the elder citizens. I think anybody could look at us and know that. But we have a tremendous responsibility to the younger men in the Legislature and in our daily lives and to the men on the city councils, township and county officers, and so forth. We have a lot of influence too, if we will just dedicate ourselves in our later years to trying to preserve these liberties and these opportunities and can do something about it, too.

We are going to have some talks today from some of our former distinguished legislators so I am not going to usurp that field.

I think it will be interesting to hear these other gentlemen, but first, before that comes Mr. Walter Beam, our secretary, who is known to most of you if not all of you. He has been very efficient and he has done a great deal for this association and for the state of Iowa for many, many years. At this time we will have the necrology report from Mr. Beam.

NECROLOGY REPORT

Secretary Beam presented the report, reading the list of members who had passed away since the last meeting, together with statement of sessions served by each and first year of service, including the judiciary and state officers:

DECEASED MEMBERS

| NAME | COUNTY | SERVICE | FIRST YEAR |
|--------------------|------------|--|---------------|
| Frank F. Merriam | Delaware | R26-26X-27 Auditor of State Gov. of California | 1896 |
| Burton E. Sweet | Bremer | R28-29 Congress 1915-1925 | 1900 |
| William G. Jones | Mahaska | R28-29 S30-31-32 32X | 1900 |
| C. N. Jepson | Woodbury | R30-31 | 1904 |
| L. D. Teter | Marion | R30-31-32-32X 45-45X-46 | 1904 |
| Geo. E. Grier | Poweshiek | R32-32X-33 | 1907 |
| S. H. Bauman | Van Buren | R32-32X-33-34-35-36 | 1907 |
| Leslie E. Francis | Dickinson | S33-34-35-36 | 1909 |
| William F. Stipe | Page | R34-35 | 1911 |
| Ralph Sherman | Poweshiek | R34-35 | 1911 |
| Joseph Kelso | Jackson | R35-36 | 1913 |
| Fred W. Eversmeyer | Muscatine | S36-37 | 1915 |
| H. P. Nicholson | Winneshiek | R36-37 | 1915 |
| H. Guy Roberts | Ringgold | R36-37 S41-42-42X | 1915 |
| J. H. Darrah | Franklin | R36-37 | 1915 |
| Ed L. Newton | Cass | R37-38 | 1917 |
| Julius A. Nelson | Cass | S38-39-40-40X-41 | 1919 |
| George B. Perkins | Sac | R38-39 S40-40X-41 | 1919 |
| C. R. Buffington | Mills | R39-40-40X-41 | 1921 |
| Ray O. Garber | Adair | R39-40-40X | 1921 |
| H. H. Schulte | Worth | R39-40-40X-41 | 1921 |
| Fred McCullogh | Iowa | R39 | 1921 |
| E. A. Grimwood | Jones | R39-40-40X-41- 42- 42X | 1921 |
| Elmore A. Elliott | Polk | R41-42-42X-43-45- 45X-46 | 1925 |
| Geo. M. Clearman | Johnson | S41-42-42X-43-44 | 1925 |
| John M. Bixler | Adams | R41-42-42X-43 | 1925 |
| Harry F. Copeland | Dallas | R42-42X-46-46X-47 | 1927 |
| James L. McIlrath | Poweshiek | R41 | 1925 |
| E. O. Ellsworth | Hardin | R43-44-45-45X-46 | 1929 |
| Ed Rawlings | Monona | 43-44-45-45X | 1929 |
| Frank G. Snyder | Hamilton | R44-45-45X | 1931 |
| C. M. Langland | Winneshiek | R44-51-52-53-54 | 1931 |
| Otto Fuelling | Clayton | R45-45X-46-46X-47 | 1933 |
| E. B. Porter | Delaware | R45-45X | 1931 |
| Andrew Stewart | Calhoun | R45-45X-46 | 1933 |
| Elmer A. Johnson | Linn | R45-45X-48-49 | 1933 |
| J. H. Thiessen | Clinton | R44-45-45X-46 | 1931 |
| John W. Moore | Woodbury | R46-46X-47 | 1935 |
| Thos. Hendrickson | Adams | R46-46X-47 | 1935 |

| NAME | COUNTY | SERVICE | FIRST YEAR |
|--------------------|----------|------------------------|---------------|
| Claus Randall | Worth | R47-48-49 | 1937 |
| Chris Reese | Marshall | S45-45X-46 | 1933 |
| Ernest R. Moore | Linn | R32-32X-33-34 | 1907 |
| | | Lt. Governor 1917-1921 | |
| Nelson G. Kraschel | Shelby | Lt. Governor | 1933 |
| | | 45-45X-46 | |
| | | Governor 1937-1939 | |

OTHER THAN LEGISLATIVE

| | | | |
|---------------------|---------------|---------------------------|------|
| Fred P. Woodruff | Marion | Railroad Commissioner | 1921 |
| Orville S. Franklin | Polk | Judge District Court | 1916 |
| O. J. Henderson | Hamilton | Judge District Court | 1928 |
| Chaucer G. Lee | Story | Judge District Court | 1907 |
| Robert L. McCord | Sac | Judge District Court | 1924 |
| Paul Wm. Richards | Montgomery | Judge Supreme Court | 1934 |
| Charles Roe | Pottawattamie | Judge District Court | 1938 |
| Orville D. Wheeler | | Judge District Court | 1900 |
| Chas. R. Fischer | Monona | Insurance Commissioner | 1939 |

Upon direction of Vice-president Davidson the secretary read messages from a number of members who had written of their inability to be at the meeting and sent greetings and well wishes to those in attendance, recalling in some instances personal experiences in sessions of the past, wishing all present happy enjoyment of their reunion and enjoyment of the program of the day.

The remainder of the morning program was devoted to addresses and reminiscences by members led by former Senators Ed R. Hicklin of Louisa county, and J. O. Shaff of Clinton county, former Speaker of the House, John H. Mitchell of Webster county and former Senator and Lieutenant Governor Kenneth A. Evans of Mills county, others likewise adding to the enjoyment of this popular portion of the day's program.

SENATOR HICKLIN SPEAKS

Mr. DAVIDSON: Now comes the interesting part of this morning's session or, at least I have found it so in years gone by, and that is reminiscing by former members and the first gentleman who is listed here this morning is a man whom I have known many, many years. In fact, we were college kids together. I know his sister and brother. And of course he came out of the law school and entered the practice of law down in eastern Iowa. He served honorably and well in the senate of this state. I think he is loved and respected by everyone who knows him. I am very, very honored to present to you my very, very good friend, Ed Hicklin of Wapello.

Mr. HICKLIN: Mr. President, thank you very much for that gracious introduction and it certainly is a pleasure for me to be here and be among the living, not be included either in the list of correspondence or the list of decedents that has been read by our Secretary.

I guess I'm sort of free-wheeling today because my subject is reminiscing, and before I go any further I want to tell a story that I heard in the senate. In an executive session, I understand that all bans are lifted and this was the most humorous thing ever happened during my career in the legislature. Dan Turner, as you know, had been elected governor and Tom Way had been his campaign manager, and so Dan wanted, properly, to recognize his campaign manager and to reward him for all of his services and he sent up Way's name as a member of the state highway commission. So, we went into executive session.

Well, there were some anti-Turner forces and some anti-Way forces in the senate at that time and so things got a little sticky. I think you know that kind of session, executive session. I remember one of the members from north-western Iowa had taken a hostile position against Mr. Way so he got up and he said "Will the senator,"—whoever it was, whoever was sponsoring him, "Will he yield?" He said, "I yield to the senator." He said, "Let's see," he said, "This gentleman, now," he said, "as I understand it he's 78 years of age?" "Yes, that's right, senator." And he says, "As I understand it, he will be how old, now? Will he be 82 when he has finished, when he has fulfilled his term of office?" "That's right, senator." A senator from the back of the room, Joe Frailey, got up and spoke. "Mr. President," he said,

"I rise to a point of inquiry. I want to ask a question." "State your question, senator." He said, "Are we considering this man for appointment to the highway commission or are we considering him as a breeder?"

I wanted to tell that story because I think it the high spot in humor of my brief legislative history and I didn't want to sit down without having remembered it. I must say that I am very gratified to be on here first because when the program expires if I have some unsaid remarks, I suppose I will be given time to say them.

I wanted to refer, for history's sake, to the 45th extra assembly which took place in November of 1933 and ran into March or April, 1934. The reason I like to think of that session is because it bears so many similarities to the session that is now going on. These great former compatriots of mine are groaning over there because they have Democrats to sit with and, my heavens, in our day in the House of Representatives there were 76 Democrats and, I think, 30 or 32 Republicans. In the senate, of course, we had 50 members. We had 24 Democrats and we had 24 Republicans and we had two of what in the old days we would have called mug-wumps. That, of course, was a guy with his mug on one side and his wump on the other. They don't call them that any more. They call them left handed pitchers. They put them in baseball against left handed batters. Mickey Mantle is either a left or right handed batter and these fellows could bat from either side, and did.

I hate to take the name of Nels Kraschel in vain, the gentleman who died so recently and who was such an honorable gentleman, but I remember when we organized this session of the Legislature we started picking officers. The Republicans put up George Wilson as their candidate for president pro tem. The Democrats put up Harold Irwin. These two left-handed pitchers voted for each other and they did that for six ballots, fixed it good. So Nels broke the tie by voting for the Democrats and from there on politics was practically forgotten for the rest of the session and we worked very harmoniously together.

The reason why I think that worked in that 45th Extra Session was because we were just like a pair of upper and lower teeth. When you get them first, they don't mesh well together, but we got the edges ground down pretty well. As a result, I think the 45th Extra session not only went into history as the longest session that has ever been held in the legislature but probably as the session which accomplished the most difficult and new and untried fields in legislation.

Just, for instance, let me recount three of the things that they did.

They enacted the income tax, the sales tax and the corporate tax, which was an absolutely new field and they did that after long battles. They enacted the alcoholic liquor control system which is still working very well in the state despite the rumors that you hear. And the third thing that they did which was outstanding and which, of course, we all bless ourselves for, the Frailey-Kimberly old-age pension law which went into effect and became a part of the permanent statutes of the State of Iowa.

Now, there were a great many other laws which were enacted and a great many that we defeated. I can remember that with the help—this is all right I think now, John, to tell about. The Democrats, with the prayers of the Democratic Party which came from Washington, D. C., had a “must vote” piece of legislation. That was the NRA or “Black Eagle” bill and you fellows of course had 73 members in the house. All you could do was pass it; but in the senate I can remember distinguished man after distinguished man coming to me and saying, “Ed, I hope to God you will find some way to beat this bill. We’ve got to vote for it.” Well, we ground away. That was one other way the upper teeth meshed with the lower teeth and we ground them down on some things and passed some pretty good legislation.

Now, we have this similarity existing today I think over here on the hill. These fellows are bothered right now by taxation and bothered in a minor way by this liquor question. I don’t think they need to be concerned too deeply with the liquor question, but I think probably taxation is a deep one.

One of the reasons I brought this book along today, I know of course I could do a lot of free lying, but I know very well there are a lot of fellows here that were there, so I have to bring the record. I can’t improvise that well. I see Senator Stanley is here and he will remember the happenings surrounding the adoption of our three-point tax law which has stayed with us all these years. Incidentally, he will remember one of the reasons it was passed was because the sales tax was enacted for three years. That was one of the provisions of the first law.

I desire to vindicate myself. On page 979 of the senate journal is not only the vote but an explanation of the vote by Senator Roy Stevens in which he said: “While we think Senate File 272 was a much fairer bill, when the substance of it was defeated, in my mind I had no other choice and

I expected to vote for House File 1, rather than have tax revision entirely fail in the session."

In my next paragraph I said: "In my opinion, the classified transaction tax—that is, Senate File 272—is the most perfect piece of tax legislation that has yet been attempted by any state legislature and I predict that when the people of this state become advised of what it can do it will some day be adopted."

Now, here is what I am leading up to. In this same senate journal, at Page 979, quite a few of us joined together and we tried to get this senate file I have just mentioned substituted in place of the three-point tax bill. I tried my best to find that old bill. I finally located it in here. We tried to substitute it and it went in the journal. I think every printed copy of that bill is missing.

I predict if this legislature would take the time to consider and spend the time we did working on Senate File 272, they could yet repeal the three-point tax bill, including the income tax, the sales tax and the corporation tax and could enact a classified transaction tax upon all the transactions in the state of Iowa and could relieve the financial situation. They could not only appropriate the money that is needed for the institutions of the state, but they could follow up the programs that have been laid out and they would have plenty of money to spare.

What I would like to see done, and what I would like to suggest to the members and, of course, they're the ones that should be here, not we old gaffers listening to each other, but these fellows over there in the house and senate now should be over here getting these words of wisdom from us, if they would listen to us. If they would make their appropriations, pass their bills and go home and would ask their governor to call them into special session on November 6, 1957, so they could devote a full session to the enactment of tax legislation, I think they would do a good job and they would do the job such as we did then. They would do it in the light of modern day expediency and necessity rather than in the light of the circumstances under which we labored.

You see, we wrote out a bill and we didn't know what it would do. I see there are men in here who remember that bill. A number of them voted for it. They were afraid of it. Afraid of it because they didn't know how far it would go. I think we have the facilities now in our modern day state tax commission to find out what that bill would raise in the state of Iowa. If they would work it out, I think they would uncover resources that have been otherwise here-

tofore untaxed and they would spread the tax burden of the state of Iowa and at the same time they could still meet and solve the vast problems and meet the demands of the state of Iowa each session.

SENATOR SHAFF'S ADDRESS

Mr. DAVIDSON: Next is another former distinguished member of our state senate, a member some years ago and he has the distinct honor of having a son now serving in the senate of this state. He comes also from the eastern part of our state and I am very proud and glad to present to you J. O. Shaff of Clinton county:

Mr. SHAFF: I am a little old to give any advice here because I remember back when I was an active member and then nobody seemed to want to listen to any of the oldsters. Beyond that, I have kind of got a little mellow, I guess, not so sure about anything any more. Times change.

I would like to reminisce a little bit on some of the funny things that happened. I was fairly young when I was first in the senate and by chance I happened to get to be chairman of the highways committee and I suppose I thought perhaps I was rather cocky anyway. The senator from Muscatine, Senator Buser, one time criticized me rather sharply and I thought he was a little off the beam on a road bill and I so told him. I didn't use very elegant language in telling him so, and this was on the floor of the senate. I walked down with my old friends, Burt Stoddard and Gus Bergman and I think possibly Charlie Deutcher and we got down part way. Burt Stoddard said, "Well, senator, you sure told old Bouska off today." And I started to kind of puff up. "But," he says, "Don't do it again."

It was a lesson that was very well taken, because later on in that session in a very close vote, or relatively close vote on one of the highway bills another senator took occasion to try to get under my hide, and make me fly off the handle. He proceeded to do so. I answered him, or tried to, with the greatest urbanity. When the roll call was taken I almost fell off the chair. He voted for the bill. So, I think it always pays to make a friend, especially with your fellow members. They may be right and you may be wrong. That sometimes happens, too.

I had many other odd experiences from time to time. I remember attending one state convention and the speaker, Nate Kendall I believe, was keynote speaker at that convention, and he brought the house down when he got up and

said, more or less as altruism in politics, "of all my mother's sons, I love myself the best," and he was nominated. It went over in fine shape.

I remember one other funny incident. It was when Governor Kendall was going out of office and Governor Hammill was just coming in and I had stopped to pay my respects to Governor Kendall and also to congratulate Governor Hammill. Governor Kendall was rather deaf in one ear and he—I go into this in a little detail, because during his last year as governor, the bill had passed a change in one of the bills covering the state educational board—or, the state medical board, and we had a candidate from Clinton who wanted to be a member of it.

So, a delegation had gone out to see Governor Kendall and he had promised them that he would appoint this Dr. Sugg and they hadn't said anything to me about it. That was quite all right with me, but I asked one of the members of the committee if they had any written confirmation of that appointment. No, but he had told them he was going to appoint Dr. Sugg. I said, "if it is all right with you, I will just drop Governor Kendall a line and tell him I am glad he is going to appoint Dr. Sugg." So I did, and I had a letter back very promptly saying he was very glad I approved of his selection.

The matter went along and in the fall some of the boys got hold of me and said, "Say, do you know what we have been hearing?" They said, "The governor isn't going to appoint Dr. Sugg after all. He is going to appoint a fellow from up around Sioux City." And so I said I hadn't heard anything about it. I said I would drop the governor a line if they would like to have me. I said he had written me he was going to appoint Dr. Sugg. They had no memorandum of it except just his word.

Well, the result of it was that of course the governor acknowledged the fact he had agreed to appoint Dr. Sugg and of course he withdrew the other gentleman's appointment and when I met with Governor Hammill and Governor Kendall as Governor Kendall was about to retire he motioned me over and he said, "Do you remember that appointment?" I said, "Yes." And he said, "You know, I clean forgot I promised that appointment to Dr. Sugg and," he said, "I had to write to this fellow and ask him to withdraw the appointment and, do you know," he said, "he wouldn't do it." He says, "I had to do it for him," and he laughed about that. That is no reflection whatever on the governor. I think most of us who have had considerable experience in politics know

it is wise to have a written confirmation on most anything. People forget.

As I look back, I suppose that most of us who have served in the legislature would very likely have some very particular reason for doing so. We enjoyed it. It cost us a lot, I think. I know it did with me and I think it does with most of us who are members of the legislature and yet the chance of attempting to do the best you can and the sense of accomplishment that usually follows these attempts make it very much worthwhile. I consider the time that I spent in the house and in the senate among the happier events in my life. I made so many friends.

I have always enjoyed meeting people, especially people who are worthwhile. That doesn't mean they have to be members of the legislature or wealthy or noted, but all kinds of people are interesting to me and always have been; and your legislative experience gives you the opportunity to make so many different contacts. I think as I reflect on the time that I was in the legislature, I am sure I will always look back on it as one of the most pleasant experiences that I have ever had.

I haven't anything more to say here. I have enjoyed meeting with you gentlemen. I intend to be over at the session this afternoon and hear what is said. I've been very much interested in the talks that have been made here.

GENERAL MITCHELL SPEAKS

Mr. DAVIDSON: Now, the next gentleman is a man quite well known to me. I have known him over a period of years. He has the distinct honor, gentlemen, of being the man who defeated me in the fall of 1936 for the office of attorney general of Iowa. Naturally, I know him and I regard him highly. I shall say that since that time he has appeared in my court in very important litigation. He acquitted himself very, very well, with honor and trust. I suspect perhaps from what Senator Hicklin has said, he may have been speaker of the house in that session which was referred to by the senator, and it is with great pleasure I present to you at this time John Mitchell of Fort Dodge.

Mr. MITCHELL: I want to confine my remarks to some reminiscing about things that occurred in the house. I was not the speaker in that 45th session. I got to be speaker of the house in the 46th when we had that influx of Democrats that

Ed Hicklin was talking about. When I came down here in the 45th, I think those that were here at that time will agree with me that we had some of the most stunning experiences that ever happened to a legislature. Up in northern Iowa we were having a lot of trouble with farm mortgage foreclosures and I came down here somewhat dedicated to the idea that we should do something about them and we did. It was entirely new legislation in the United States, harassing to some people; and now it has become somewhat accepted.

I never will forget the debates that we had on the farm mortgage moratorium as long as I live. I will never forget a member of the legislature that you members of the house remember very well, whose name was read here today, he has left us, Elmer Johnson of Cedar Rapids. Of course, to Elmer this farm mortgage moratorium was just outright not only unconstitutional, but it was in opposition to everything that we in America stood for.

Nobody ever maintained a position more firmly than Elmer Johnson did and I never will forget him. He would come in when we were debating it. Elmer would come into the session with some cases. Always from ALR. That seemed to be his favorite source of authority. He would come in there with those cases and he would get up and read them and point out to us how unconstitutional farm mortgage moratorium was and stand up there and shake his finger and tell us what an awful thing this farm mortgage moratorium was. He defended that position ably.

It was in opposition, to some extent, to the position I was taking and we debated it on the floor. He never wavered for a minute in the position that he took. He was interrupted constantly by people, other members of the legislature, getting up and sort of making fun of these cases he was reading but, of course, Elmer never gave up.

Afterwards, we became very good friends and, as you know, Elmer was one of the real fine lawyers of this state. I will always look back with much pleasure to the time that I was able to spend with him.

I don't think in reminiscing we can go over too many members of the house, because in so doing, I am very apt to leave out people that should be remembered. I would like to call your attention to the fact, if you haven't thought of it, that from the 45th and 46th General Assemblies came six governors of Iowa. I don't suppose that could be said of any other two sessions of the legislature, not succeeding sessions. Nels Kraschel, whom Ed Hicklin referred to, who

was buried yesterday and certainly this occasion today can be a memorial to him. George Wilson, who was in the senate at that time. Bourke Hickenlooper, who came to the house when I was speaker. Bob Blue, who was in that session, the late Governor Beardsley, and Leo Elthon. Six members became governors of Iowa. It seems to me that probably their records there, the record that they made in the assembly and the friends they made there probably played no small part in their later becoming governor of the state.

I would like to mention just a few people maybe you will get a little pleasure out of remembering. I couldn't go back there again without remembering Gus Alesch. As you said, there is a typical example of freedom under the law. As an immigrant he came to this country. He went into public offices, was a very successful businessman, finally came to the legislature. He was a controversial figure. I certainly couldn't agree with him very often, but I certainly never wavered any in the respect I had for him and he really was a man.

I don't know how many of you remember a representative by the name of Lee Aldrich. Some of you do. Lee came from Wright county and he sat down in the front and he was a real Jeffersonian Democrat. His whole life was tied up with that of Thomas Jefferson. He didn't take part very often in any debate on the floor, but whenever he did he was right back to Thomas Jefferson in the first minute that he was talking.

And he had a little legalizing act that was going to permit the highway commission to build an extension of a primary road into Belmond, where Lee lived. That was his real high light.

Lee got up to speak on this legalizing act. We were trying to get to other business and Lee wanted to make his speech going back to Tom Jefferson and he started out talking and finally somebody interrupted and asked him to yield for a question. Of course, he bowed and said he would. "Do you want this bill to pass?" "I sure do. It is a very important bill to my county." He said, "Well, if I were you, I would sit down and we will probably pass it. If you go on talking, you will probably talk yourself out of your legalizing act."

You all remember J. P. Gallagher and those petitions we heard from him over on his side of the assembly. Gus Kuester, who came to the assembly at that time and went on and became a distinguished member, speaker of the house

in two different sessions. Arch McFarlane, who is always with us and has continued to be in the legislature since that time. If you remember when I was speaker, he sat over to my right and we got into such difficulty there because we had a new chief clerk and Arch came over there and I don't know how many times he made that trip from his seat down to the desk to try to help us out of some situation we were in. There must have been a path worn from his seat down to the speaker's rostrum. I will never forget the help he gave me when I was speaker.

Remember Lookingbill? He was a man who always was coming to me when I was speaker of the house asking if he could be excused because he had a funeral. It seems to me I never knew of anyone asking to be excused so many times for funerals.

Remember J. Wilbur Dole, scientist from down at Fairfield, whose real major piece of legislation was to get the goldfinch declared the state bird of Iowa? Really a fine man. I remember him, a very mild-mannered man who had a great interest in nature.

I wouldn't want to pass this opportunity of saying something about Dave McCreery, because I thought during the time there was a rather heavy Democratic majority it seemed that Dave kind of called signals for his followers and he would always rise up just before we were ready to vote and say, "Now, Mr. Speaker, I rise to a point of information. Now, if you vote Aye on this bill it means you are going to do thus and so and if you vote No, it means that this is true." He would repeat it, on almost every vote he got up so it would be clearly understood which way Dave thought they should vote.

I remember Representative Mooty, whose son is now speaker of the house. It is rather unusual, it seems there are a number of father and son combinations over in the house now, sons of fathers who served in the legislature. I remember Mr. Mooty very well, one of the finest gentlemen that I ever knew.

I remember Don Burington, who probably was one of the youngest members who ever came to the legislature, unless it was you, Earl. He served in the legislature and has gone on to a distinguished career in the law in the northern part of the state.

After I was in the legislature, I did run for attorney general. I didn't have so much trouble beating Harold, but I had an awful time getting the nomination. I didn't get 35 per cent of the vote and the contest went to the convention.

I missed it by a very fractional 1 per cent in that primary election. When I ran for attorney general, the biggest help I got was from members of the legislature in both parties. Now, my Republican friends couldn't help me very much by voting for me. They helped me when I went into their communities by telling me people I ought to see. I will never forget that help.

As Senator Shaff said, I never will forget the friends I made in the legislature. I don't think you make friends like that very often. You share those experiences and they stay with you, it seems to me, the rest of your life. I think of all the experiences I have had in the practice of law since and holding some other offices, I never enjoyed anything like I did the two sessions I spent in the Iowa house of representatives. I am grateful to the people of my county that they gave me the opportunity to be here and to make so many friends; and I am very happy that I have had the opportunity to appear on this program today and to be here and meet with all of you, my friends.

GOV. EVANS RELATES INCIDENTS

Mr. DAVIDSON: Listening to my friend, John, I recall an incident that involved Gus Alesch. I was not in the legislature then, of course, but I happened to be in the lobby of the Fort Des Moines hotel one evening about 6 o'clock. It seems as if this liquor situation was quite prominent in the legislature and Tobe Diamond up at Sheldon and Gus Alesch got into an argument right in the lobby of the hotel and both of them, as you know, don't speak in whispers. They were getting pretty close up together and Alesch was opposed to this liquor thing and Tobe Diamond was for it. They got close to each other, pointing their fingers at each other. Tobe Diamond says, "Gus, you don't need to spit in my face," and Gus said, "I would rather use a spittoon any time."

You think you had something in convention, John! I had a convention in '36, too. Had a fellow by the name of Bob Shaw who was quite formidable in Iowa, quite a campaigner as you know.

We have another distinguished gentleman from western Iowa; I think you are all acquainted with him and know him. He has served both in the senate and as

lieutenant governor of Iowa. I am very proud to present to you Kenneth A. Evans of Emerson, Mills county.

Mr. EVANS: I see that my class of the 47th General Assembly who are now Pioneer Lawmakers are pretty well represented here today. I am very happy to see them, as well as some of you who were in the assembly prior to that time. I think that every person who serves more than one session in the Iowa assembly can look back and perhaps pick out some one session that stands out over the rest. That is true in my own case, my first session. Not so much because I was a novice but because we had a session that operated under some very unusual conditions.

We had a state house, with the exception of a few, that were all Democrats. We had a house that was equally divided, 54-54. Some of you members of that session recall how you maneuvered to get the speaker, but the Republicans finally lost; over in the senate, we had the Democratic presiding officers, but it just happened we had a majority of Republicans. So we took an unusual step and decided to have a committee on committees. We pointed out it was done in congress and it had been done, I think, when Arch McFarlane was presiding, as I remember it. So we organized the senate and selected our own committees. Well, over in the house the battle went on for a number of days. Finally the tie was broken and we settled down to business.

We had orators like Ed Breen, Max Geske, Lant Doran, William Beardsley and many others. I sometimes used to think when I would reappraise that session that the Democrats had the edge in oratory, but we had those three votes. There were many interesting things happened in that session. First of all, let me say we passed some rather ponderous legislation. The social security act had been previously passed in a special session, but the session apparently wasn't legal because some of the members taking their places in the senate had been appointed rather than elected so we had to re-enact that.

We passed the homestead exemption act which was signed and enacted into law. We had to re-write and pass the conservation laws because they had been declared unconstitutional. Then we completely re-wrote the motor vehicle laws. Had a bill which comprised 193 pages, as I remember it. Strange as it may seem, they are still re-writing all those laws.

I recall several of the members of the senate who sometimes provided us with considerable entertainment. There

was one in particular, Dan Mason. I suppose some of you remember Dan Mason. Well, one day, the session was underway maybe 30 days or so. The then secretary of state, Mrs. Miller, passed away and on that particular day, of course, the state house was in mourning. However, both houses did meet. I always remember the minister who gave the invocation. I timed him 18 minutes. He gave about a seven minute eulogy on Mrs. Miller, paid her very fine compliments and so forth. Then he asked blessings on each of the state officers, the governor, lieutenant governor, went on down the line and at the end of 18 minutes finally asked blessings on the legislature and Dan Mason was standing over at his desk, glasses on his nose, shuffling papers and just the minute the prayer ended and before the members started to sit down, Dan looked over at me, over the glasses on the end of his nose, and said, "Senator, he never said a damn word for the taxpayers."

Shortly after the session was underway, one of our members from Lee county, Senator Driscoll, passed away so the good people down in Lee county got together and selected a senator. For some reason he didn't get the notification as soon as he should have, but through a little assistance from the Democratic lieutenant governor, why, it was brought to our attention and he was brought to Des Moines in time to get in so he got that little extra bonus of \$250. The day he arrived there was quite a gallery full. There was a bill up pertaining to the Farm Bureau. I think that bill we used to have every so often about taking county tax money away from the Farm Bureau.

As I recall, the senator walked in just about the time we started answering roll calls on this bill. He hadn't had an opportunity to be informed on the bill, what it contained, but he skipped in answering the roll call and someone invoked Rule 8. His name was called again. He still didn't answer. His name was called again and again. Finally he got down behind a pile of books on his desk, thought perhaps he wouldn't be seen or that it would be thought that he was gone.

Finally, he voted; I don't know which way he voted, it makes no difference. Later on he explained it. He heard somebody calling out Rule 8 and he thought all the time they were saying too late. He brought a new innovation into the senate at that time. He was in the cheese business and so he treated the senate one day during the noon session to a very tasty cheese lunch. It was held in executive session. I think perhaps we did have the press boys, per-

haps the governor came in the back door also. At any rate, we didn't do it on state time, did it on our own lunch time. That became a regular custom as long as he was in the cheese business. I think perhaps that was the most wonderful session I served in.

The next session, that was the 48th general assembly, was rather far reaching. The control of the house had changed hands to Republican and of course they came in and wanted a program. One was to re-organize. Well, we re-organized. I was on one of the committees. Also in that session the senate passed a resolution calling on the governor to remove the board of control members. There was quite a battle over that. I think that was the session that changed the railroad commission to the commerce commission. Those sessions all ran over one hundred days.

Then in my third session we passed the first "farm to market" road program. It was kind of a puny affair, but it was the basis of the method for distributing road funds to the farm to market system that is in effect to this day.

In my fourth session, I had the honor of being chairman of appropriations. I don't think that any appropriations chairman had it easier. I had a wonderful bunch of fellows to work with. They took their work seriously. We were in a war. Capital improvement was out. They could ask for it, but all we could do would be to earmark some funds for future use with surpluses building up. At that time I think I was the only appropriations chairman to get all of the major bills passed at least once by the senate before the spring recess. I don't think that has ever been done since. I know it was never done before.

I came back as presiding officer of the senate and everything was different. I was looking at everything backwards, but with a little practice and some cooperation from the members of the senate, it isn't hard to get into the swing of it. Once you are there, things just kind of coast along. During the sessions that I was honored with the privilege of presiding over the senate we started earmarking funds for certain capital improvements. I think in the 51st general assembly we earmarked the first money for the state office building. In the 52nd, we found that with the rising costs of construction and so forth that it would be necessary to add to that, so we earmarked some more money and then in the 53rd Assembly we finally had the funds grouped to proceed with that building. Also in the 53rd the assembly finally took pity on the governor and appropriated funds to provide a suitable residence for him during his term of office.

I think like the rest that perhaps the pleasantest period of my life was the time I served in the Iowa senate. Serving as presiding officer was a nice honor, but actually a member of the senate is considerably freer than the presiding officer. But I will say this, that I couldn't ask for finer treatment from any group of men than I received from the members of the senate during those years I was presiding officer.

Mr. DAVIDSON: I think we all know that the president of this association two years ago was Arch McFarlane who has served longer in the legislature of Iowa than any other man, living or dead. He expected to be here this morning, but, as you know, he recently was confined to the hospital with an illness and I guess from what I learned from Walter this morning he didn't feel that he should exert himself to the extent of coming over here this morning. But I know we all wish him well and that he will regain his former good health.

HONORED GOV. KRASCHEL

Mr. HICKLIN: I would like to move that a committee be named by the president to send an appropriate message of sympathy to Mrs. Kraschel. His death and services falling so near on this date, it seems to me that, as General Mitchell has said, it would be no more than very fitting today to recognize his distinguished service.

The motion was unanimously adopted, and Messrs. Hicklin, Mitchell and Fishbaugh named as a committee to prepare a resolution in due form and forward the same to Mrs. Kraschel.

Mr. DAVIDSON: I think it is a very fitting tribute and I thank you for making the motion. Now, are there any other remarks at this time? Colonel Stanley, I think you at least about tie for being dean of this group. Is there anything you would like to say?

COL. STANLEY ON EMPLOYMENT AID

Col. STANLEY: We should not adjourn this meeting until we give some serious thought to the opening remarks of our present presiding officer. Our liberties we should cherish.

For 20 years now I have been connected with a state agency that is working under and with and a part of a federal-state adventure. The points made by the chairman in respect to considering our liberties is something that we should look into.

The congress of the United States in 1935 passed the Federal Social Security law which included a provision of 3 per cent on employers of 8 or more. The congress did not create an unemployment insurance law. Why? I have my reason for thinking that they did not do so because they feared that the supreme court of the United States would hold it unconstitutional. But they did provide that if the state should pass an unemployment insurance law then the state could collect 90 per cent of that tax.

Now, the point I want to make and leave with you is this: From that day on, down here, we have been running to Washington to do everything.

And, we are drifting slowly and have been all of this time toward relying on Uncle Sam to do everything for us. Are we selling our birthright for a mess of pottage? I think that is one of the things brought out by our chairman we should give thought and consideration to as citizens of this state. As I see it in this one agency I am in, there is a growing tendency everywhere; let Uncle Sam do it, it doesn't cost anything.

I am very much interested in the talks, particularly some points that my friend, Ed, brought out with respect to the three-point tax bill. It so happened I was on the committee of three of the senate to meet with the committee of three of the house because we had passed different bills and we had quite a time with that. Our good friend, Senator Paterson, couldn't take any sales tax at all; it had to be income tax. John Valentine, who was chairman of our subcommittee, was working all the time. We held this up, had meeting after meeting and this bill was held up until John Valentine told us he had votes enough in the senate to pass it and then it went right through. Certain obstacles got out of the way mighty quick.

Very happy to be here and see the gang. Hope we can get together again. It has been fine to be with you at this meeting.

GEN. COSSON RECALLS LEADERS

Mr. DAVIDSON: It is 15 minutes to lunch time. We have a little bit more time. Is there anyone else who would like to be heard here? General Cosson?

Gen. Cosson: I would like to say just a word or two about

some of the radical changes. First, back in the 33rd General Assembly we had Senator Francis and Senator J. A. Smith, men like that. The legislation which came along about that time was a thing similar to what you would expect when we were led nationally by the great Theodore Roosevelt. Now, I will come on down to the days when people were conservative and when they did give some thought to George Washington and his Farewell Address, keep your own nose clean and let the other fellow keep his clean, but treat everybody properly.

Of course, times have changed. And we certainly, I think all of us believe in a United Nations. The League of Nations failed because Britain and some of them wouldn't support it. But again you get another radical change. I thought of it, I guess, because of one of our senators. He was a senator while I was attorney general—Guy Gillette. The bill came up in the senate, the cash and carry defense bill. The bill provided for cash and carry. That any foreign country could buy munitions of war, but not on time. Under international law there wasn't anything that was illegal about it under the law of nations, provided that they came over here and put the money on the barrel head. And do you gentlemen remember that that bill passed exactly by one vote and our senator, from Cherokee I guess he was, was to speak. I was writing him letters because I knew him and he said he knew how he felt about it. He was coming down, going to speak at the Fort Des Moines to the Rotary Club. That bill was up and it passed by one vote. Guy was then traveling.

Now, I call your attention to the radical change when we not only had refused as we did with Republican Spain under international law to even sell them munitions of war, sell them or any other country that was wrongfully attacked. But now, we come to the point where we seek to subsidize the whole world and where we contribute vast sums to our enemies like four billion dollars. I think nearly half to Franco-Spain.

Now, the solution, it seems to me to all of this is to get back to the fundamental principles of Washington and Jefferson and Abraham Lincoln and Theodore Roosevelt and the great Elihu Root, who was Secretary of State, as applied to the conditions as they are today, for we can't go on subsidizing the whole world. The point I want to make in conclusion is that we get back to fundamental principles, but in the light of conditions as they are today. Nobody thinks we can live in the past. We could lead the world. We could

have a great army, navy and air force and we would treat all nations on the merits of the particular act instead of lining up in blocks thinking that by military alliances and by money we can subsidize and control the world.

So I just say, let's get back to fundamental principles and the principles that have guided our forefathers in the light of conditions as they are today and do those things that are necessary but don't try to buy the friendship of anybody and don't think that we can scare a country that occupies a fifth or sixth of the world's geography and another country that has a third of the world's population almost. We can't fight half of the world and carry the other half on our backs.

1957-59 OFFICERS ELECTED

The committee on nomination of officers of the association to serve for the biennial period of 1957-59, recommended by report of its chairman, Lyle W. Hall, the following nominations:

For President—Judge Harold E. Davidson, Clarinda

For Vice-president—Ray Yenter, Des Moines

For Secretary—Walter H. Beam, Martensdale

For Assistant Secretary—David A. Dancer, Lamoni

For Vice-presidents by districts

First—Stanley L. Hart, Keokuk

Second—William Becker, Elkader

Third—E. P. Donohue, New Hampton

Fourth—Frank M. Beatty, Sigourney

Fifth—Clyde E. Doolittle, Des Moines

Sixth—Robert D. Blue, Eagle Grove

Seventh—R. G. Moore, Dunlap

Eighth—Gustave Alesch, Marcus

For Executive Committee: Harold E. Davidson, Clarinda; Arch W. McFarlane, Waterloo; Emory H. English, Des Moines; Ray Yenter, Des Moines; Lloyd Thurston, Osceola; L. H. Doran, Boone; Walter H. Beam, Martensdale.

The nominations were confirmed by the unanimous election of the persons named for the positions stated.

Mr. DAVIDSON: Thank you for this honor. I don't know whether it is deserved, first and, second, I am acting in capacity of president during this period because of the illness of our president, Senator Shane. However, I am interested in the group and in the organization. I feel that much good can come to it. I feel meetings of this kind are important. We certainly have gained some information here today from each

other, as well as from what has been said and we should carry on. If there is anything we can do to increase our attendance, I think that should be attempted. I will give it consideration during the next biennium so that at the next session it may be possible to secure a larger representation at our meeting.

The meeting adjourned until the hour of the joint session with the houses of the general assembly.

AFTERNOON JOINT CONVENTION

Members of the Pioneer Lawmakers association were invited guests at a joint convention of the Fifty-seventh General Assembly which convened at 2 p.m. in the chamber of the Iowa House of Representatives, with Lieutenant Governor William H. Nicholas presiding. Vice-president Davidson was escorted to the speaker's desk and seated beside the lieutenant governor who extended his personal welcome to the Pioneer Lawmakers and offered the following remarks:

It is with great pleasure as a presiding officer of this joint convention to assist in the welcoming of the former Lawmakers of Iowa, who together with the present lawmakers have established in Iowa a state and local system of government which, in the very nature of things, has its faults, but which I would not exchange for that of any state of the Union. Iowa has good government, and the laws we pass help to keep it so.

We have set up a judiciary under which the protection of our laws is guaranteed to all, and whose integrity has never been questioned, we have established protection for our poor, our widows and our orphans. We have safe working conditions for the employees in our industries; we have shown due regard for our problems of sanitation and public health.

It is through the efforts of the Pioneer Lawmakers of this state that we have established a system of government which was formed on a sound foundation, and it is you here today that I can congratulate upon being a part of this great establishment for a great state.

It is nice that you could come to renew acquaintances with old friends and new. I am happy to welcome you and it is a pleasure to introduce the former senator who will have charge of this meeting from now on.

It is my great pleasure to present to you the Honorable De Vere Watson, former senator from Pottawattamie county,

who is going to substitute for Senator Arch W. McFarlane on this occasion today.

Senator Watson assumed the direction of the convention and presented Sen. George E. O'Malley of Polk county, who welcomed the Pioneer Lawmakers, on behalf of the senate, speaking as follows:

This is an honor to have the opportunity to welcome the Pioneer Lawmakers of Iowa on this occasion.

We, of the Fifty-seventh General Assembly, are happy to see you back to view our legislative endeavors and again breathe in the atmosphere of Iowa's most exclusive society—the general assembly.

I am likewise happy that the now famous quote, "Old soldiers never die, they just fade away," does not apply to your honored group, as evidenced by your substantial numbers here today.

As you well know, several members of the Pioneer Lawmakers are still carrying on and are active in the making of laws of our state. I assure you it has been enjoyable to work with Honorable Frank C. Byers, senator from Linn; Honorable Arch W. McFarlane, senator from Black Hawk; Honorable J. T. Dykhouse, senator from Lyon; Honorable George L. Scott, senator from Fayette; Honorable Dewey E. Goode, representative from Davis; Honorable A. C. Hanson, representative from Lyon; Honorable W. J. Johannes, representative from Osceola, and Honorable Stanley Watts, representative from Clarke, present assembly members that you have on your membership.

You Pioneer Lawmakers in your time of service reflected the hopes and ideals of your constituents. The laws you passed met the needs of those days. As our predecessors in molding Iowa's statutes, you set the pattern and led the way for generations to follow. We hope that our current deliberations meet with your approval.

On behalf of the members of the Senate, it is a real pleasure to welcome you here today and sincerely hope that your meeting will be one of inspiration and that you will all enjoy yourselves by renewing acquaintances with the older members and friends and becoming acquainted with the new members who are carrying on in an effort to effectively solve the legislative problems of the day.

Senator Watson presented to the joint convention Representative Robert B. Carson of Buchanan who welcomed the Pioneer Lawmakers on behalf of the house with the following remarks:

Today we pause in our ponderance of the many problems which are before us in this 1957 legislature. We pause and do honor to the lawmakers who have pondered many similar problems in legislative sessions which are now a part of the history of the Hawkeye state. On behalf of the members of the house of representatives in the Fifty-seventh General Assembly I extend our most hearty and sincere welcome to you, the Pioneer Lawmakers of Iowa

Through those perilous decades immediately after the founding of the territory, the pioneers of Iowa selected sound, intelligent, and God-fearing individuals to make their laws. The result has been a sound thinking, highly literate, and God-fearing people who have flourished on this rich land. These good people, and this good land, are the abundant resources which will furnish a solid normal growth in the years which lie ahead.

The lawmaker of today, like his predecessor, must constantly study the future needs of the citizen. He must examine and re-examine these needs and determine which ones should be provided by government. He must determine whether they come within the proper province of government, the priority to be given each of these needs, based on their urgency and the availability of public funds if the needs are material in nature.

The lawmaker must further be governed by the fact that the state has nothing in its own right with which to provide for any need. The state can only provide what it must first levy from the citizen. May Divine Providence give us the wisdom and the strength, as you have had the wisdom and strength, to protect the solvency of the citizen while providing for his future needs at the same time.

We, the lawmakers of today, commend you, the lawmakers of yesterday, for the forthright and steadfast manner in which you came to grip with the problems which faced you in the assemblies in which you served. We are delighted to have you return to these halls today. May God bless you every one.

Senator Watson then presented to the joint convention Judge Harold E. Davidson of Page county, president of the Pioneer Lawmakers Association, who addressed the joint convention as follows:

THE STATE'S LIBERTIES AND RIGHTS

I appear before you today to honor the members of this assembly on behalf of those who served at least twenty years ago. The purpose is not only briefly to live again legislative

problems of former years, but also to reassure you and each of you members not only of the importance of your task to the problems of this biennium but to the future development of our state in all the aspects of future good living.

At the outset, I should like to make a general observation about the function of law and law making.

Dean Roscoe Pound pointed out many years ago that law is social engineering. Neither common law rules nor statutes are ends in themselves. They are always means to the end of securing the best possible social adjustment of conflicting interests. It is the best interests of society which should constantly be uppermost in your minds in the promulgation of and the enactment of a statute. The law should be a means to eliminate or reduce social friction. It is inevitable that when a statute is enacted it is designed to meet the then current needs of the community caused by actual conditions.

It is a truism, that changes in community conditions come about more rapidly than changes in our laws. This is only natural and, certainly, no one can be criticized therefor.

However, in some cases the continued application of an old law in a community which has undergone extensive economic, industrial and social changes increases the very social friction which the law originally was designed to reduce or prevent.

Our fathers toiled in greater hardship than do we, and lived more frugally—far less indulgently. The ways of our age are swifter and more superficial. Many of our generation have recently waxed wealthy, inheriting real and personal property that in many instances quadrupled in value. All this seemed a happy exception to the toilsome course of ordinary life of the days gone by; but it has dangers and disquieting tendencies, illustrated by present trends and indulgences. This includes, among other things, greed, commercialism and inordinate lust for power and money, and all too often without regard as to the ethical and moral means of such acquisition. Consequently, regulatory statutes are necessary now that were not needed years ago. Regulation, of course, does not mean that government should be in competition with private business and not at all, except and only to the extent that neither the people nor private enterprise can supply such types of service. Regulation means the adoption of such rules as are reasonably necessary to prevent abuses or exploitation of the public or segments of it, by means of advantages acquired by natural or created situations.

CENTRALIZATION OF POWER

There is a strong trend to centralize power in the Federal Government in Washington. This centralized power, as a general rule, is inconsistent with individual liberty, individual responsibility and human freedom itself. This trend, if continued, will also reduce this state as well as the other forty-seven to mere satellites. The result will be the loss of state control of matters of local concern, the destruction of our dual system of government. Also, if this process is not checked, the time must certainly come when the sovereign states will be nothing more than mere municipal corporations with only such powers left them as the Federal Government may choose to allow.

The Tenth Amendment to the Constitution of the United States in substance provides that the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people.

The state governments were, are and should continue to be governments whose sovereign powers are inherent and not delegated powers as are those of the Federal government.

It is the opinion of many leading lawyers that this Tenth Amendment is being ignored and nullified by judicial decisions of the supreme court of the United States in many of its decisions.

For an example: The vesting of power to regulate the insurance business by congress, and the consequent loss of regulation by the states, if and when Congress should exercise such power, was effected by a decision in the case of United States vs. Southeastern Underwriters Association, 322 U. S. 533, decided in 1944. Fortunately for the states the good judgment of congress came to the rescue and in March, 1955, passed the McCarran Act providing in part that the business of insurance and every person engaged therein shall be subject to the laws of the states. However, it must be apparent to you, and the fact remains, that under this decision the congress still has the power to repeal this statute and the Federal government take over at any time and eliminate state regulation.

In this connection, it is interesting as well as discouraging to note that there is now pending litigation in the circuit court of appeals at Cincinnati, Ohio, to judicially determine whether or not the Federal Trade Commission has the power to regulate the insurance business and this claim of the federal trade commission is being made regardless of the 1955 congressional enactment. How are we to curb this un-

constitutional usurpation of the states' powers? This should be the concern of all of our citizens as well as legislators; but it is difficult properly to educate the rank and file of our citizens because it is being done a little at a time and each instance affects only a small segment of our people or, possibly, offers temporarily what appears to be benefits although in the long run disaster may result.

You are all familiar with the famous Nelson case. Nelson was convicted for subversion under the laws of the state of Pennsylvania. The United States supreme court reversed this conviction on the theory that, by the passing of the Smith Act, congress intended to preempt the field and only the Federal Courts could prosecute for subversion.

There is not the slightest doubt that congress never intended the state laws to be thus nullified. The author, Congressman Smith, last year asked Congress to specially clarify its intention for the purpose of preventing the future nullification of such state laws.

You may ask why is he telling us these things. The answer is simply to inform any of you who may not be too familiar with these matters and to again remind those of you who are, the importance of not voluntarily permitting the federal government to preempt these or any other fields that are primarily and fundamentally the states' prerogative and Constitutional duty to exercise.

OUR FEDERALIZED NATIONAL GUARD

Again in this same connection we are just now fully realizing how thoroughly federalized our National Guard has become and have seen the Pentagon dictate a requirement for all National Guard personnel to have six months' intensive training in an Army camp. The National Guard was essentially a state militia for use in maintaining law and order if and when violence should break out and probably more often needed where and when disaster strikes. This has been true except in time of war. The Cold War and the extensive preparedness for war emergencies will sometime pass but the guard, through federal subsidy and gradually imposed controls, has become a federal rather than a state force and a part of the standing Army of the United States.

It must be readily apparent to all of us that if the Federal Government has the power to preempt any and all fields, the result could and eventually would be detrimental to our freedom and liberty. We may for the moment think we, as certain individuals or our various groups, could gain some temporary benefits or advantage by such preemption. However, it should be clear that once the sovereign powers of

the states are lost they could never be regained. Also, we as citizens of this great and still sovereign state, to a large degree, can better know and understand the needs and desires of our people for orderly government than Washington, D. C. Further, if there are inequities or wrongs to be righted, certainly the Legislature is more apprehensive of such conditions and needs than are people in far away states which may not have similar existing conditions.

There is now strong sentiment in some quarters in favor of Federal aid to education. In fact, many in high Federal government positions are advocating appropriations for what is now said to be used only for the construction of a public school building program. Of course, it should be obvious to all of us that this is only the first step toward Federal control of our entire public school system. The next step will be to subsidize teaching salaries, perhaps only particularly in the beginning. Then comes the dictation of the textbooks to be used and who may or may not teach in our schools. We are then at the complete mercy of some school administrator or bureaucrat in Washington with whom we may, but probably would not, agree as to what is best for our state public school system.

If this situation should exist, the economic and financial dependence would make impossible the operation of our schools without such Federal subsidy. The Federal government would necessarily exact from us more tax money than would be thus returned, plus all the costs occasioned thereby, which would be substantial. Certainly we can and should build our own schools.

We may not build them as elaborately; they may not conform to some national architectural plan; less red tape and less cost will certainly result, and in the long run our children will be able to receive as good an education, probably better than as, if and when what is taught and who may teach is dictated from Washington.

FEDERAL SPENDING A DANGER

The future stability of our Federal government depends on less federal spending, not more.

You all remember the old adage: "He who pays the piper calls the tune." This truth is as real as life itself.

It is not our purpose and it is definitely not intended to try to dictate to this Assembly any specific legislation, but rather to assure the members of this Assembly that the people of this great state realize the magnitude of your duties and trust you to engineer the best possible social adjustment for the future and for all the people of our state.

Having also had some experience in the judicial branch of government, it should be clear from what has been said that this branch should never, under any guise of expediency or otherwise, usurp your branch which is the legislative. The judicial approach must always strive to interpret legislative enactments to give force and application to the true intent of the legislature, except in the very rare instances where a statutory law is unconstitutional.

May I say to you distinguished legislators that I thoroughly believe that the judges of both the district courts and the supreme court of this state adhere strictly to this most important principle of our system of free government of checks and balances. The written opinions of our state Supreme Court sustain this observation.

One of the justices of the supreme court of the United States in an opinion written by him sometime ago said that "because the words of a statute are plain that their meaning is also plain is merely pernicious oversimplification." I leave this for your own appraisal.

Time will not permit here to discuss the far-fetched interpretation applied to the interstate commerce clause of the United States constitution, but suffice for the present to say, that it is hard to imagine a business or enterprise that could be considered purely intrastate even though its product or service has never been and probably never will become interstate commerce or cross any state line. The interpretation generally is to the effect that there is such possibility and if not directly, by some indirect method. Such interpretation was never intended and amounts simply to usurpation of power. Your attention is invited to investigate some of the many Federal decisions on this subject and the effect it has on the several states and their government.

In conclusion, may I say I consider it a high honor to have had the privilege of appearing before you and if anything has been said to assist in stimulating your thinking, I shall feel most amply rewarded.

"Our Liberties We Prize And Our Rights We Will Maintain." This is our state motto and is inscribed on our state flag. If this motto is to survive until the next century, our dual system of government must also survive and ways must be found to educate and alert our people effectively to resist and prevent the Federal government from preempting the powers and duties of state governments.

I know you will not shirk your responsibility as public servants but will help solve not only the problems of our state but those of ours and other states in their relation to the

Federal government. Let us all dedicate ourselves to helping preserve the sovereign powers of our great and beloved state.

We must all have faith. Someone has said that faith is louder than noise. This is true, for if we have faith a cannon could be shot off beside us and our faith still remains. We must all have faith in God, faith in the people of our state and country and last, but not least, faith in ourselves. Remember our motto: "Our Liberties We Prize And Our Rights We Will Maintain."

The joint convention then was dissolved on motion of Representative Milroy of Benton county duly carried.

Belated Indian Demands

Succeeding generations of individuals often develop pangs of regret on account of lost opportunities. It is a human trait. Frequently there is desire to enforce fancied rights so long allowed to sleep undisturbed that possibility of securing desired results is balked by lapse of time and expiration date of legal recovery.

Now come 193 members of the Wisconsin Winnebago Indian tribe who have signed a petition asking the federal government to reimburse them for the rental and sale of Turkey river reservation in northeastern Iowa once known as the "neutral ground" ceded to the tribe in 1832. John J. Davis, 80, Winnebago Indian living at Bangor, Wisconsin, is one of the claimants.

In 1862, the Winnebagoes were moved to a 20-mile-square area near McGregor from a reservation near Chicago, Illinois. The Iowa reservation was at the juncture of the Turkey river and the Mississippi. It was rich bottomland, filled with timber and heavily populated by wild game.

The Indians later were moved and ceded the land back to the Federal government, but claim the United States promised to pay them certain timber rentals which are "unpaid since 1912." Davis thinks each tribesman now should be entitled to about \$30,000. A hearing on the matter was had last April in Washington, D. C., but a decision is not expected for a year.

J. H. Henderson, Judge—Jurist

By FRANCIS I. MOATS*

Our English forebears who in the 17th and 18th centuries migrated to America laid the foundation for democracy in what is now the United States. They were the product of a civilization that had produced Magna Charta, the Petition of Right and the Bill of Rights. But in practice, limitations of wealth, religion and family reduced the number who were eligible to participate in the selection of their governing officials to perhaps not more than one-fourth of the adult male population. This condition still prevailed at the time of the American Revolution and even through the period of the making of the Constitution of the United States.

But the western frontier beyond the Alleghany mountains had no place for a political system that was dominated by an aristocracy of wealth, family or religion. Wealth counted for little and few possessed any. It was an agricultural economy and all must work with their hands or perish. And all must co-operate at the house-raising or the corn husking parties. The new constitutions, beginning with Ohio, made manhood suffrage a fundamental of western democracy.

Not only did this western democracy demand that all adult males be eligible to use the ballot, but it held that the common man was capable of administering government at all levels. Thus arose political democracy as we know it now. It had its birth on the American frontier and all of the original thirteen states were soon forced to follow its practice.

Government now would be controlled by those who through qualities of leadership took over the reins of government. Legally all were equal but leaders were

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certain to come forth and assume the responsibilities of the community. The typical state, county and local units quickly developed men of leadership, and during most of the 19th century, local units were to assume far greater responsibility than those of state and national levels. Indianola and Warren county were new political units on this frontier at mid-century and perhaps no family played a greater role in this community than the Henderson family. This article will trace the part played by J. H. Henderson, second in the chronology of the family, as they appeared in public life.

John H. Henderson was born at Ackworth in Warren county, December 16, 1848, and is said to have been the first white child born in Warren county, as the county was at that time organized. He was the son of Paris P. Henderson, who moved to Warren county in 1847 from North Carolina via Kentucky. He was of Scotch-Irish descent.

In 1848, P. P. Henderson was appointed organizing sheriff of the county, and on January 1, 1849, was elected sheriff for a two year term. At the close of this term as sheriff, and after moving to Indianola in 1850, he was elected judge of the county court, a position he held until 1858. In 1859 he was elected as member of the Iowa senate where he served during the session of the Legislature in 1860, but resigned during the session of 1861 to organize a company of volunteers for the Union army. He served as captain of Company G of the 10th Iowa Volunteers and was mustered out December 23, 1864, after completing with Sherman the memorable "March to the Sea."

Returning to Indianola, he was elected treasurer of Warren county, which office he held for nine years. He was then elected mayor of Indianola, a position he held for twelve years, after which he served as justice of the peace for some years. During much of the time he had a private law office. He was a member

of the board of trustees of Simpson college for some years and very active in the Methodist church.

It was not by accident that John H. Henderson, son of Paris P. Henderson, early in life displayed qualities of leadership that marked him for a career in many activities of the community. He was educated in the public schools of Indianola and was enrolled for two years in Simpson college at the old Bluebird. During his college days, he studied law with his father and in 1870 was admitted to the bar in Iowa by examination. Three years later, in 1873, he entered a law partnership with W. H. Berry, and remained in that partnership until 1886, when he was elected judge of the State Circuit Court.

ELECTED A MEMBER OF THE JUDICIARY

By a reorganization act of the district circuit system in 1887, the district to which Henderson had been elected was abolished, but he was elected in 1887 to a new judicial district and was serving his third term as judge when in 1896, he resigned to re-enter a law partnership with W. H. Berry, who had been elected to the Iowa state senate in 1895.

The new partnership was continued until 1901, when Frank P. Henderson, son of Judge Henderson, completed a law course at the University of Iowa's law school and was admitted to the bar in Iowa. During that year, father and son formed a partnership, Henderson and Henderson, an association that lasted until the senior member was appointed Commerce Counsel of Iowa in 1911. The judge, a title by which he was always known, remained in that office for twenty-four years, or until 1935, save only for a few months in 1927 when the position was held by another appointee who resigned within a few months after his appointment, and the judge was again appointed to serve the remainder of this term and for another four-year term in 1931. He retired from public office in 1935 at the age of 86. He was the first appointee to this office

after its creation by the Thirty-fourth General Assembly in 1911.

HEADED STATE BAR ASSOCIATION

During his long career in the legal profession he was a member of the Iowa State Bar Association and in 1897 was elected president of that organization. He served as a member of the State Board of Law Examiners from 1902 to 1906, a position in which he rendered distinguished service.

While serving as Judge of the District Court of Iowa, Mr. Henderson embodied a statement in one of his many formal instructions to juries that found a permanent place in the court system of Iowa. This statement pertained to the subject of "reasonable doubt." At the opening of a trial the judge pointedly informed the jury that "the defendant is presumed innocent. The burden of overcoming this presumption is upon the prosecution, and to do this, the proof must be sufficient to convince you of his guilt beyond a reasonable doubt.

"A reasonable doubt is one that is real, not captious or imaginary, not forced or artificial, but one that without being sought after, fairly and naturally, arises in your mind as reasonable men, after having fully and carefully examined all the evidence, and deliberately and conscientiously considered the whole case.

"Having thus examined and considered the whole case, you should convict the defendant if the proof should establish his guilt to such a certainty as fully and firmly satisfies you beyond a reasonable doubt that he is guilty, but if it does not so prove his guilt, you must acquit him. And the defendant is presumed to be innocent. . . . This presumption of innocence applies to all acts of the defendant."

The judge's wide range of intimate association with members of his own profession resulted in high compliments, and an associate on the State Railroad Commission while he was serving as Commerce Counsel declared that "Henderson was one of Iowa's best pub-

lic servants who always had in mind the welfare of the state rather than his own interests." At the time of his passing, September 30, 1940, many high tributes were paid to the man who served the people of Iowa in a wide range of activities and deserves a place among the acknowledged leaders of his state.

SERVICE TO SIMPSON COLLEGE

It was not only in the field of his own profession that Judge Henderson served with distinction. In his relations to Simpson College he was to render a great community service and no one person has ever had a connection with this institution for so many years. Before he had reached his twenty-first birthday in 1868, he was elected by the board of trustees as secretary of its executive committee and the next year was made secretary of the board of trustees, a position he was to hold for a period of fifty-one years.

Henderson had received practically his entire education at this institution—five years in the preparatory department known then as the Seminary, and two years covering the first period of the regular course for a degree, but did not complete this course. From 1868 to 1919, a period of fifty-one years, he signed every warrant issued by the college and all diplomas and other legal papers as well. It has been said that during his fifty years as secretary of the board he missed but two of its sessions. When he resigned from the board, he was succeeded by his son, Frank P. Henderson, who was to serve in the same capacity for thirty-three years. In recognition of his service to the college, the board in 1910, through the recommendation of President Shelton, presented him with a gold-headed cane.

Many years earlier, in 1883, the Alumnae Association by a unanimous vote recommended that in recognition of his services the board of trustees confer on him the honorary degree of Master of Arts. The board complied and the degree was conferred at the June commencement that year.

Henderson became a member of the Odd Fellows lodge in 1869 and was to rise to state-wide prominence in that organization. In 1896 he was elected representative to the Grand Lodge and re-elected to this position for eight successive years. In 1904, he was elected Grand Warden, Deputy Grand Warden in 1905, and in 1906 was elected Grand Master of the Odd Fellows of Iowa. During this ten-year period he was a member of the judiciary committee of the Grand Lodge. He was a long time member of the Masonic lodge, a Knight Templar, a member of both the Grant club and the Des Moines club of Des Moines, and of the A.O.U.W. He was a member of the Methodist church in Indianola and for many years a member of its official board.

He became a member of the Iowa State Historical Society in 1910 and retained that membership until his death in 1940. He was made a life member in 1925. He had also served as a member of the Indianola school board and had thus served in a wide range of activities in his home community, a range scarcely equalled by any of his contemporaries.

TRIBUTES TO ABILITY AND CHARACTER

As a young man, J. H. Henderson brought good cheer to his many associates and as early as 1872 the *Simpsonian*, Simpson College publication, declared that "there is no place in our city where the young folks like to go better and no place where they will be received with greater cordiality than at his home." President John L. Hillman of Simpson College was to say of him, "Judge Henderson was an apostle of good cheer. Wherever he went, he carried sunshine. His spirit was contagious . . . His record as a trustee of Simpson College was most unusual. I know of no parallel to the length of his service extending as it did over a period of seventy-one years. Most of that time he was very active and very influential."

Among those other than Dr. Hillman to pay tribute to the Iowa judge on the occasion of the last rites in

1940 was Harvey Ingham, then editor of the *Des Moines Register*, who declared that "Judge Henderson was an able man and devoted a long and useful life to the service of the public . . . The state is a better one for all of us to live in because of his valuable contributions to a broader life."

Judge Cooper, a close associate in the Iowa courts, declared that "Judge Henderson had the reputation among the older lawyers of being one of the state's outstanding jurists."

Another publication "The Courts and the Legal Profession of Iowa," Vol. II, by C. C. Cole and E. C. Ebersole, said of the judge, "He was always highly esteemed as one of the ablest and cleanest judges the State has produced."

Still another appraisal declared that "he was devoutly attached to his profession, systematic and methodical in habit, sober and discreet, and diligent in research, conscientious in the discharge of duty, courteous in demeanor, just on all occasions—qualities that enabled him to take high rank among the representatives of judicial offices of the state."

"And," said Don Berry in the *Indianola Record*, "I want to pay an humble tribute to the man who was a friend of my father and a friend of all those men and women of his time among whom I grew up. I know that tribute will be echoed by men and women here and elsewhere in Iowa, on the East coast, on the West coast, in the North and in the South . . ."

Henderson was a lifelong Republican and was honored by his party by his selection as a delegate to the national convention in 1904.

When report of his death was received at the office of the National Association of Railroad and Utilities Commissioners, Washington, D. C., a special bulletin was issued by John E. Benton, then general solicitor for the association, appraising the work of Mr. Henderson. "Judge Henderson," said Mr. Benton, "was long the dean of the legal corps of the state commis-

sions. He became commerce counsel of Iowa in 1911 upon nomination by the Iowa Commerce Commission and confirmation by the senate. He received five subsequent appointments and served almost a quarter of a century before his retirement on July 1, 1935.

"Prior to his first appointment as Commerce Counsel he had served for several terms on the State District Court Bench. . . . Upon the expiration of his last term he was close to his 88th birthday and indicated to the commission that he did not desire reappointment . . . Judge Henderson was a strong man from strong stock . . . He was a man of many interests, active in the political and social life of his community and state, an able attorney and advocate, loved and honored by all who had the privilege of knowing and working with him during his long and honored career of public service."

On October 8, 1868, he married Nannie Jane Spray, daughter of John and Margaret Spray of Indianola. To them were born five children—Edgar Brinton, who for many years practiced medicine at Marengo, Iowa; Frank P., for several years associated with his father in a law office at Indianola; Inez, who married Clyde D. Proudfoot and resided for many years in Indianola; Dwight F., for many years an electrical engineer in Spokane, Washington; and a fifth child who died in infancy.

He died September 30, 1940, at the age of 92. His first wife, Nannie Jane Spray, died February 10, 1902, and three years later he married Hattie Spray, a sister of his first wife.

Centennial Coin at Big Premium

The half-dollar issued in 1946 in commemoration of Iowa's Centennial year, which sold through the centennial committee for \$2.50, is now sought by collectors and bids range up to three times that amount, with listings as high as \$8.25. They were widely purchased at the time by Iowa people. 100,00 of the coins were minted.

White Men Displace Red Men

By ORA WILLIAMS

When white men sailed across the Atlantic ocean four and a half centuries ago in search of a new route to India and the Orient, a continent was discovered on which red men lived. Christopher Columbus and his associates called these red men Indians, because he supposed they had really found India. The explorers who came later were nearly all looking for a route to India. Stories of fabulous riches in the far east spurred navigators to face the dangers of long voyages in unknown seas and kept hid the greater importance of newly found lands as fertile fields for colonies.

After awhile the urge for greater freedom of life and opportunity led to the taking over of the entire Atlantic coast for colonies of British, Dutch, French and Spanish origin, and the people of some of these colonies claimed the right to extend them clear across the continent. They did not know how large the continent was and thought it much smaller than it proved to be. Explorers continued to drive deep into the interior, some of them looking for places to live and others making search for a route to India through or around the continent.

That which is now Iowa was discovered as result of a military expedition sent out by the French government to find a great river, about which they had been told by Indians, and in the hope a route would be found to the Pacific ocean.

The colony of New France occupied the valley of the St. Lawrence river and reached to the west along the north shores of the great lakes. French traders were buying furs and French missionaries were teaching the Indians. For these purposes they desired to extend their influence as far as possible and also they wanted to keep ahead of the English and Spanish colonists who

were rapidly taking possession of the central and southern parts of the North American continent. Men had at last come to realize the value of the soil and climate and natural resources of the midland region and rivalry for possession was active.

EXPLORERS VIEW IOWA AREA

The discovery date for Iowa was June 17, 1673. On that day a little band of Frenchmen traveling in frail canoes rowed out into the Mississippi river and caught first sight of the hills and prairies of Iowa land. The exploring party was led by Louis Joliet, an officer who had been commissioned by the governor of New France to find the river about which much had been heard. With him was Jacques Marquette, a Jesuit missionary who had long worked with the Indians. They had five others as assistants.

The party had started from Mackinaw, where a mission had been maintained and traders had their headquarters, had gone through Green Bay, followed the Fox river, then down the Wisconsin and on to the Mississippi near where McGregor became a settlement. They followed the current down the river and noted the addition of the waters of the Des Moines, the Illinois, the Missouri, the Ohio and the Arkansas rivers; then turned back and reached their home. Father Marquette made report on the discoveries, but Joliet lost his records before he got back to Montreal.

The expedition had been warned by friendly Indians of the great danger of the journey, but on the contrary the explorers were delighted with the songs of birds and glimpses of wild herds and the quiet beauty of the scenery. When they had gone down the river "about sixty leagues" as they said, they found tracks made by human feet, and following the trail across the prairie they were greeted by Indians, who had a village near the mouth of the Des Moines river.

These Indians said they were Illini, which they said meant they were men and not savages, and they proved to be a family of the tribes living east of the river.

Father Marquette could understand enough of their language so that friendly relations were at once established. They stayed for five days and the Indians entertained and feasted their visitors. They gave them a big dinner, after the Indian fashion, smoked the pipe of peace and urged the Frenchmen to come again.

The French people were good explorers and courageous adventurers. Joliet and Marquette and the French governor in America at once claimed all the land drained by the great river as a part of New France. Their report aroused intense interest and other expeditions were proposed. One of these was led by Hennepin, a missionary, who went up the river into what is now Minnesota and there met Du Luth, another French explorer, and together they returned by way of the Wisconsin river. This was in 1680. Two years later, La Salle went far down the river and named the country Louisiana, in honor of King Louis XIV, who took much personal interest in these explorations.

FRENCH MILITARY IN CONTROL

On learning there were mineral deposits along the river, Le Seuer led a small party of miners into the upper valley. The government of New France extended its military control to the Upper Mississippi and Nicholas Perrot established posts at Prairie du Chien and on Lake Pepin.

The missionary work among these Indians was not very successful, and the red men neither changed their religion nor their customs and refused to go to school. But the French did succeed in securing a valuable commerce in furs, and the Indians soon found it to their advantage to exchange the results of their hunting for blankets and weapons. French trade with the Indians extended into and all through Iowa and the northwest.

That which in now Iowa, although completely undiscovered, had first been claimed for the Spanish monarch by reason of the journeys of De Soto and others

into the lands of the lower Mississippi. The Spanish and French claims hardly came into conflict. On one occasion a Spanish expedition was sent out from the southwest to dispute with the French the right to the midland region, but it failed.

The Spaniards held Florida and the coast of the Gulf of Mexico and established themselves at New Orleans. Finally they established settlements as far north as St. Louis where they entered the fur trade and sent forth explorers and missionaries.

The English colonies on the Atlantic coast laid claim to territory beyond the Allegheny mountains, but were in no position to assert their claims against the Indians, and made no attempt to extend their settlements into the interior of the continent. This attitude changed materially after the war between France and Great Britain in which the American colonies took active part.

SPAIN ACQUIRED LOUISIANA

By the treaty of 1763, France gave up all of Canada to the British and New France passed out of existence. France still held nominal authority over Louisiana, which was along the Mississippi river with indefinite boundaries, and the King of France made a deal with the King of Spain by which the latter acquired Louisiana and all the rights of France. The Spanish rule was therefore extended from Florida and the gulf to the British possessions in western Canada and to the Rocky Mountains and including California.

From 1763 for a period of 37 years, Spanish authority was undisputed in Iowa and all along the west side of the Mississippi river. The Spanish trade centered in St. Louis and an important fur-trade was established there. The fur buyers traveled up the valleys of the rivers, including the Des Moines and others in Iowa. Generally friendly relations were maintained between the Spaniards and the Indians. The French and British traders continued to operate in the north and came into Iowa.

Indians showed samples of shiny ore to the white men

and Julien Dubuque, a French adventurer, succeeded in finding where the ore came from; and he made friends of the Indians by marrying an Indian woman, and securing permission to do some mining. He opened a mine in Iowa, where now stands the city of Dubuque, took out and sold lead ore, and maintained a small colony of miners from the year 1788 until his death in 1810. He got some sort of a concession from the Spanish governor at St. Louis and called his business the "Mines of Spain." After his death the mines were reopened after lying idle twenty years and a permanent settlement was commenced.

UNITED STATES BUYS LOUISIANA

Louisiana became a part of the domain of the United States in 1803. The price paid was fifteen million dollars. That was an immense sum at the time, but it was a good bargain. It came about by reason of unavoidable complications. The Americans living in the Ohio valley found their best route to the markets of the world by boats down the Mississippi river. The Spanish authorities at New Orleans took advantage of this by imposing heavy charges on shipments made through that port. The disagreement on this matter became so serious that there was danger of war.

About this time the revolution in France brought Napoleon Bonaparte to the fore and he secured all of Louisiana from the Spanish, though the actual rule of the latter continued for a time. President Jefferson learned of the secret treaty by which ownership of Louisiana had been changed. The United States sent a representative to Paris and another to Madrid to bargain for shipping rights at the mouth of the Mississippi river, or perhaps to obtain a cession of New Orleans and thus to peaceably settle the disputes about commerce.

Bonaparte offered to sell all of Louisiana, and Livingston and Monroe closed the deal promptly. They had no authority to engage in any such immense land purchase, the president was embarrassed by a ter-

ritorial expansion he had not expected, and the Spanish authorities at New Orleans and St. Louis were shocked and indignant. Neither did the Indians like it, for they had gotten along very well with both the French and Spanish.

The motive of Bonaparte, head of the French nation at the time, was to prevent the province from falling into the hands of the British and to strengthen the United States as against the British in the war through which he was already planning to dominate all of Europe. The Louisiana purchase was the greatest land deal in all history up to that time. It opened the way to extend the authority of the United States from ocean to ocean.

The treaty which gave Louisiana to the United States was signed in Paris April 30, 1803. The American representatives had gone far beyond their instructions, but their act was approved and before the end of the year the matter had been closed. Although Louisiana had been given to France, the Spanish control had continued for three years and the Spanish flag was flying at New Orleans and St. Louis. At first the Spanish government protested against the sale and at New Orleans there was threat of resistance. But on November 30, Spain formally turned over the province to France and three weeks later the French authorities placed the Americans in charge.

Not until March 9, 1804, was the Spanish flag hauled down at St. Louis and after the French flag had been flying for one day only, the American flag appeared and all of Louisiana came under the jurisdiction of the United States. Gov. William H. Harrison of Indiana territory took over and the new land was designated as the Louisiana district of Indiana, which included all to the Mississippi river. The lower part of Louisiana came under the jurisdiction of Mississippi territory as the district of Orleans. A year later the district of Louisiana was made Louisiana territory and Gen. James Wilkinson became governor.

LEARNED OF AREA ACQUIRED

The people of the United States were not prepared to cope with the big problems involved in the extension of the national domain into the unexplored regions of the far west. They set about to find out more about what they had purchased. An expedition was at once organized for that purpose. Meriwether Lewis, who had been secretary to President Jefferson, was placed at the head, and with him was associated William Clark, a military officer, and they led an exploring party up the Missouri river from St. Louis to its head in the mountains, then went on to the Pacific ocean. They started in 1804 and returned two years later. One of their party, Sergeant Charles Floyd, died and was buried on what later was called Sergeant Bluff, in Woodbury county.

The army officers recognized that military posts would soon be needed on the frontier and Zebulon Pike was sent from St. Louis with an exploring party in 1805 to select sites for forts along the Mississippi river. He went up to near the head of the river and back. He met several tribes of Indians and reported. As a result, the army built a military post and established a trading house at Fort Madison in 1808. The Indians objected to having a fort on the west bank of the river and Fort Madison was attacked and later abandoned. In 1816 the army established Fort Armstrong, on Rock Island, which was in the Illinois country. Not until 1834 was another military post planted in Iowa and this was Fort Des Moines, near the town of Montrose in Lee county.

The story of what happened in the Iowa area in the first thirty years after the United States secured possession is much like that of other regions where the red men were being forced to abandon their homes and hunting grounds in order that white men might cultivate the land and establish a new civilization. Much could be told about the conflicts and treaties with the Indians. The record made by the United

States in dealing with the red men was not entirely creditable; but it must be remembered that at that time the Iowa region seemed very far away from the national capital, that information as to what was being done on the frontier was hard to get, and that there was much mutual dislike and hatred as between the pioneers and the Indians. However, the taking over of Iowa from the red men and preparation for organized government was accomplished in less time and with fewer disappointments or difficulties than in many other places. When the time came for the big rush for free lands in Iowa, the states south and east were well settled. Iowa was to be almost the last of the mid west regions to be settled by the covered wagon caravans, but the new trails into Iowa were not well defined nor heavily traveled.

Louisiana during the Spanish era was almost entirely in the actual possession of the Indians. Little effort was made to utilize the land. The Spanish authorities granted to Basil Giard a large tract of land in Clayton county, and a smaller tract to Louis Honore Tesson in Lee county. On the latter a small settlement was made and it was featured by the growing of a fine apple orchard said to have been planted by an Indian leader. Spain ceded Louisiana back to France in 1800 by a secret treaty, but the Spanish rule continued, with Spanish and French traders mingling freely and generally on friendly terms with the Indians.

CIVILIZATION REACHES TOWARD IOWA

By the close of the eighteenth century, civilization had moved up pretty close to the Iowa border on the east and south. The colonies from Florida to the St. Lawrence had become a new nation in 1776 and the region between the Ohio river and the lakes and west as far as the Spanish borders had become the Northwest territory. The Indian claims were being extinguished and territories organized with a view to becoming states. Home seekers were coming over the mountains and traveling into the west by steamboats

or wagon trains. Military posts were located and towns grew up with stockades.

The fur trade had gone into control of great companies, but the pioneers were clearing the forests and turning the soil of the prairies to produce greater wealth. Not only had the great valleys of the Mississippi and Missouri been discovered but the trails led over the greater mountains of the far west and on to the western ocean. Within a few years all of the demand for more land would become irresistible. On the hunting grounds there would soon be American communities of industrious people.

Iowa-Issued Dollar Comes Home

A wandering Iowa-issued dollar bill of 1874 vintage at last came home in January, 1957. The dollar bill was issued in September, 1874, by the former First National Bank of Cedar Falls. Oddly, it turned up recently in a tin box belonging to a deceased customer of the National Provincial Bank, Ltd., in London.

The bill then was passed on to the London office of the Hanover Bank, New York, as "a memento of historical interest."

Forwarded to the Hanover's main office, the bill made the last leg of a long voyage home when it was presented to the present First National Bank, Cedar Falls, nearest "kin" to the original issuer, which failed in 1893.

The note still is worth a dollar, but it won't buy what it did 82 years ago. As a collector's item, it will bring more.

At that time, national banks could issue their own money on their holdings of treasury bonds. This practice was discontinued in 1935.

Reached Iowa Assembly on Muleback

By WALTER C. WILSON

[In early years when the capital of Iowa was at Iowa City, members of the General Assembly residing in the midsection of the state and more western counties experienced serious inconvenience in attendance at sessions. Resort was had to all manner of conveyances to make the long trips over poorly marked trails, as no general state highway system had yet been developed and settlements were few and in many sections widely separated by the prairies. Representative Walter C. Wilson of Webster City had a large district reaching far to the northwest section of Iowa. His recital in an address before the meeting of the Pioneer Lawmakers Association of Iowa reunion in 1894, concerning his experiences in traveling to the session of the Sixth General Assembly in 1856, revealed some difficulties experienced on the journey considered worth recounting 100 years later—Editor.]

In 1856, I was nominated for representative from the territory which now composes some nineteen counties of the northwestern part of the state, with a majority of something over nine hundred against me. I carried the election by eighty-five votes. I attribute my success somewhat to the fact that the state capital was so remote that my opponent did not care to undertake so great an enterprise and so much hardship as he would have to undergo in reaching the Capital of the state.

When it was time for the legislature to meet, I found the undertaking was somewhat embarrassing myself, but after providing myself with a mule I rode to Marengo and thence by the Western State Company Line to Iowa City. I found myself embarrassed with a mule upon my hands, and wishing to make some disposition of the animal, I remarked that I thought I would have to make some person a present of the mule. There was a Jew in the company who said he would take him, but I said to him being somewhat short of expense money that I thought I would have to receive

a small compensation, and finally agreed to part with the animal for \$80.

When I had reached Iowa City I was notified that my seat would be contested. I remarked then that I felt it was a mistake, as no man would venture an undertaking of that kind. I had received the votes of the whole northwest. My opponent never entered an appearance.

HAMILTON COUNTY ORGANIZED

As a matter of history, I will tell you something of the organization of Hamilton county. I introduced a bill forming Hamilton county, which then comprised a portion of Webster county. When I introduced the bill, I had Webster City designated as the county seat. My friend, W. T. Baker, suggested that it might be a mistake to designate Webster City as the county seat, as the custom had been to appoint commissioners to locate county seats. I said to him that would not do; if the bill was passed I wanted something that would be to my interest. I stated to him that I had named the new county Hamilton, which would bear the name of president of the senate, W. W. Hamilton, of Dubuque. He said he guessed that was right, and that would be sufficient to take care of it in the senate, and we would undertake to take care of it in the house.

The bill was introduced in the house and called up upon its first reading; the rules were suspended, and the bill read a second time and passed, and the title agreed to. It was immediately reported to the Senate by W. P. Hepburn, chief clerk. Governor Kirkwood was then in the senate. He asked to have the bill immediately taken up that had just been reported, as he understood it had some reference to the president of the senate. The bill was taken up and read the first time, the rules were then suspended and the bill read a second time, title agreed to and passed, and referred to the "committee on oysters," of which Judge Hamilton formed a very conspicuous part.

I might say to you, gentlemen, that the county of Ham-

ilton and Webster City have been the pride of my life, having been a citizen of Hamilton county for some forty years. The town of Webster City is now a town of some 4,500 inhabitants. At the time it took the name of Hamilton county it did not contain to exceed 100 inhabitants.

PROMINENT IOWA LEGISLATORS

I wish to mention the names of some of the prominent members of the house and senate. I will name W. T. Barker, of Dubuque, Mr. Cort, a gentleman by the name of Holmes, and the speaker, Mr. McFarland. In the senate W. W. Hamilton, Samuel J. Kirkwood, W. F. Coolbaugh, Mr. Grinnell and Test of Council Bluffs. There were many bills passed, and some that we have always looked upon with pride, that I feel were as essential to the welfare of Iowa as any laws passed before, or have been passed since that time. The disposition of our land grants, the railroads, and distributing the institutions of the State. I had the great pleasure of casting my vote for the removal of the state of Iowa from Iowa City to Des Moines.

There was a bill introduced locating a blind asylum in Oskaloosa, Mahaska county. I moved to amend the bill by striking out "Oskaloosa, Mahaska county," and inserting "Webster City, Hamilton county," and came within three votes of locating the blind asylum at Webster City. My amendment failed, and we defeated the bill, and Vinton in the next legislature following, secured that institution. I am very much pleased to know the institution was located in a pleasant and convenient part of the State, but I do think Webster City would have been much superior.

THE INDIAN DEPREDACTIONS

After the adjournment of the legislature and on my arrival home, the first evening, a messenger came from Fort Dodge, notifying us that the citizens of Spirit Lake had been massacred by the Indians, and wishing us to send a party of men, fifty at least. We went to work, and had our company ready to leave at 9 o'clock the next morning. They met with two companies at Fort

Dodge, and after a hard and tedious march, reached Spirit Lake just in time to bury the dead, and learned that the Indians had left. After their return, in about ten days, a messenger came rushing into Webster City saying that the Indians were coming down the Des Moines and Boone rivers, massacring the people, and the whole settlement on the Des Moines and Boone rivers rose in a body and fled for Fort Dodge and Webster City.

Immediately, I, sent a messenger to Iowa City with all possible dispatch, requesting Governor Grimes to send us the whole arsenal of the State, that the Indians were massacring the settlers all along the Des Moines and Boone rivers. He sent me four boxes of muskets, and requested that I should receipt for same. I did so, and armed the settlers, and never had a greater trouble in my life than I had in regaining the arms and satisfying the receipt that I had given; but, as I am satisfied that the Governor meant to favor me, he accepted what I returned, and said he thought I had done nobly.

Our next experience was from Boone county the day after the report of the massacre. Judge McFarland and Captain McCall started with a company of one hundred men, taking teams, provisions, and everything that was necessary to cope with the Indians. When they came within five miles of our town we met them with a delegation and escorted them into town. Judge McFarland straightened himself up on his bay horse and said, "If you have any Indians, bring them on, the Boone tigers are here; we are ready for Indians."

In answering the judge, I said to him I didn't think there was an Indian within a thousand miles of us, but the people were scared, and I saw no way that I could prevent it. We appreciated their presence as fully as we could if there had been balls six inches thick upon our public square, and if the Indians or any other trouble befell Webster City we should know just where to go for assistance.

The First Cream Separator in the United States

By T. P. CHRISTENSEN

English inventors gave us the spinning jenny and the power loom; American inventors, the reaper and the grain binder; Danish and Swedish inventors, the centrifugal cream separator.

In 1878, the Swede Gustaf De Laval and the Dane L. C. Nielsen made the first practical centrifugal cream separators. The Danish firm in Copenhagen, Burmeister and Wain, manufactured the Nielsen separator, but patents were also sold to an American firm which manufactured the separator under the name of the Danish Weston, a modification of which again became the more recent Reid separator.

In a few years after 1878, Danish and Swedish separators were in use in the Scandinavian and other European countries. Canadian and American dairymen began to import the machines in 1882. It was a Danish immigrant in Iowa who brought the first separator to the United States.

The large influx of Danish immigrants to the United States began in the eighteen forties and fifties when small settlements were formed in Wisconsin and Iowa. The Civil war checked the stream of immigrants for a few years, but it set in again with greater volume after the close of the war. At this time many Danish immigrants settled in Cedar Falls, Iowa, and the surrounding country. A large settlement grew up in the country around what later became the village of Fredsville. The name had been given to the village by the Danes and signifies "village of peace."

To this settlement came in 1869 one Truels Slifsgaard from northern Slesvig, Germany, now a part of Denmark. Truels rented a farm and patronized a lo-

cal creamery, operated on the shallow pan plan, which was more profitable for the farmers than the individual farm dairy because it made it possible to produce a uniform grade of butter. But there was this great drawback to the plan that the milk from the creamery was frequently sour before it could be used for calf feed.

In writing to his father, Jeppe, in Slesvig, Truels told about his farm problems, about the current change in American farming to more diversification, and the revolution, which the rapidly expanding dairy industry was working. Jeppe was much interested, and when the newly invented cream separators in Denmark had stood the pragmatic test, he at once apprised his son of the fact and proposed to bring one to America together with a Danish buttermaker.

CUSTOMS OFFICE HELD UP SEPARATOR

Jeppe and the buttermaker, Niels Blom, took passage for the United States early in 1882. The two had no difficulties in satisfying the authorities in New York City themselves and at once proceeded to their point of destination, but the separator was held up for two months in the customs office because the officials could not make out whether the thing was made of iron or steel. Contemporary metallurgy had developed so fast that we should not be surprised that official brains were sometimes put on the rack. After mature deliberations, however, the officials decided that the machine was made of steel and charged a duty of \$93, which was promptly paid.

With the assistance of Mr. Blom, father and son set up the separator in what became known as the Danish Creamery at Fredsville. There it did service for eleven years, though it was difficult to get repairs for the separator since these had to be obtained from Denmark. The Danish Creamery was first privately owned. Later it became a cooperative institution.

Both Jeppe and Truels lived to good old age. In 1926, I received a letter from Truels in answer to an

inquiry. He wrote that the Danish Creamery had long since been dismantled, and that the cream separator set up there in 1883 was the first ever brought to the United States. This was a bit of startling information for the ordinary aids to study, such as annuals and encyclopedias contained practically nothing about this matter. But subsequent thorough and prolonged study of the subject has made it clear that he was right.

The cream separator which Jeppe Slifsgaard brought to the United States in 1882 had a 24-inch bowl, a speed of 250 revolutions per second, and was capable of skimming 2,000 pounds of milk per hour.

Principal Sources: "Danske i Amerika," Vol. I, Pt. 2, Minneapolis, 1908; "Nordisk Familjebok," Vol. IV, Stockholm, 1925; "Iowa Agricultural Yearbook," 1888.

God's Obelisk*

A joking soldier named me "Devil's Tower";
 But God created me, a tapered spire
 To raise all searching eyes above the earth,
 To lift their vision upward to the stars.
 The Red Men gave to me a fabulous birth
 That saved three maidens from an angry bear;
 While men of science patiently explain
 Me as a monolith, volcanic-born.
 In homage, Roosevelt proclaimed this site
 The first of many Monuments, so pines
 And native flowers could thrive around my base.
 A thousand tapered pentagons of stone
 Compose my whole. Each fluted shaft alone
 Would crumble, fall, disintegrate to dust;
 Together as a triumphant whole they have
 Endured. The blasts of hail, bombastic winds
 Of fifty million years proved trivial
 As dew on blades of grass. God's Obelisk
 Upon a mountain top, I symbolize
 The permanence and peace of unity.

—Mae Urbanek

*This poem won first place in a state poetry contest sponsored by the Wyoming Federation of Women's Clubs in 1956.

Spirited Supreme Judge Contest

By EMORY H. ENGLISH

The holding of state judicial conventions in Iowa has been a comparatively late development in state politics. Formerly the party candidates for supreme judges were nominated along with those for state officers in the party conventions. And not always could a judge succeed himself upon the Iowa supreme bench without surviving in hot political contests. One such took place in the Republican state convention held August 2, 1899, in Des Moines on occasion of Gov. L. M. Shaw's second nomination.

The term of Justice Gifford S. Robinson of Buena Vista county, was expiring the following January, and he was being opposed by a field of candidates consisting of four well known men who had served as district judges. They were Judge Geo. W. Burnham, of Vinton, Benton county, Judge John C. Sherwin, of Mason City, Cerro Gordo county, Thos. M. Fee, of Centerville, Appanoose county, and James D. Giffen, of Marion, Linn county.

Justice Robinson had a strong following and led on the first ballot, but eventually lost the contest, serving on the state supreme bench from 1888 to 1899 inclusive, and later as a member and chairman of the state board of control. Four ballots were necessary to make a nomination. Judge John C. Sherwin was second only to Judge Robinson on the first ballot. He gained on the second ballot, led the entire field on the third, and won on the fourth in an exciting finish of the contest.

Sherwin received aid from the Sloan and Fee forces, Judge Robinson pushing him hard through the added strength given by the support of a part of the Burnham forces, the rest going to Sherwin. The accession of the Sloan strength and some Burnham strength in

the last roll call to the Sherwin camp was enough to land the nomination, however, for the Fourth district candidate, and Judge John C. Sherwin, for eleven years judge of the Twelfth judicial district, was the nominee of the party for supreme judge.

COMBINATION SOUGHT BY BURNHAM

Judge Burnham's defeat was predicted when the convention was called to order for the afternoon session. All week the Sherwin forces had resisted every attempt on the part of the Burnham leaders to force a combination looking to Burnham's nomination this year, in return for promises of Judge Sherwin's nomination one year later. Tuesday night the combination was all but effected. The Burnham managers were confident then that the morning would bring about the agreement and that success was assured their candidate. They said to the Sherwin people that the Updegraff strength in the east end of the Fourth congressional district stood ready to break from Sherwin because of the Blythe management of the campaign. It was predicted that this break would come early and that even if Sherwin should refuse to combine, his strength would be sapped away in the convention and that his forces would be badly demoralized by the time two or three ballots had been taken. The result showed the prediction a poor one.

On the other hand, the Sherwin men claimed that they could not afford to combine with a candidate who was having such trouble in his own congressional district as Judge Burnham was having in Linn county in contending with Giffen forces. Despite this claim, however, some of the Sherwin managers were ready to lay down on Tuesday evening. The threat of the Burnham followers to use the knife had had the effect of frightening the managers of Judge Sherwin's campaign, and they were almost ready to admit defeat and professed to the Burnham men that they were willing to combine with a view to ultimate success.

But their candidate himself had the nerve and con-

fidence his managers seem to have lacked. He resisted every attempt of rival candidates to combine, unless he himself should be the winner. Even when his disheartened managers told him that defeat was practically certain if he insisted on standing alone, Sherwin declared that he believed that he was going to win and would continue to fight in that belief.

With the refusal of Sherwin to combine, the Burnham vote split, part going to Sherwin and part to Robinson, the larger part to the latter. Scott, Muscatine and Clinton counties, of the Second, helped out the Sherwin people, Polk county and the Seventh were about evenly divided. The Sloan strength from the First district and part of the Fee strength in the Eighth district were delivered to Sherwin and nominated him, defeating Burnham. The principal break to Sherwin came with change of Van Buren county into the Sherwin column.

One of the gains to Sherwin from the Burnham column occurred in the third ballot. Muscatine county, of the Second district, had been looked upon as a strong Burnham county. But on the second ballot a change was made and the county threw the bulk of its vote to the Fourth district candidate. This was followed on the next ballot by Scott county. Scott had formerly been reckoned in the Burnham column. In the convention, however, it surprised everyone by dividing its vote, giving twenty votes to Burnham and seven to Giffen, his most bitter opponent, being in debt to both Linn county factions. On the third ballot it changed everything, however, and threw its entire twenty-seven votes to Judge Sherwin. The change from the time Van Buren threw over Sloan was rapid. Those counties interested, particularly in Mr. Gear, the Burlington senatorial candidate, hastened to climb into the band wagon, and the Sherwin gains were rapid.

That the candidacy of Judge Giffen was solely for the purpose of defeating Judge Burnham became

more evident in the convention than ever before, although this had long been apparent. When on the fourth ballot, Benton withdrew Judge Burnham and announced its support of Judge Robinson, there were no more enthusiastic men on the floor than the managers of Judge Giffen. Linn county promptly changed from its course of opposing the rest of the district, and when it was called in the roll of counties, it swung into line and voted its thirty votes for Robinson, but too late to save him from defeat. The balloting upon the four roll calls had was as follows:

First ballot—Robinson 316½, Burnham 238½, Sherwin 262, Fee 216½, Sloan 189½ and Giffen 53.

Second ballot—Robinson 346½, Burnham 182½, Sherwin 327, Fee 206, Sloan 168 and Giffen 32.

Third ballot—Robinson 335½, Burnham 132½, Sherwin 491, Fee 176, Sloan 99 and Giffen 31.

Fourth ballot—Robinson 509 7/10, Burnham 1½, Sherwin 679 3/10, Fee 90.

Judge Sherwin was renominated and re-elected at the end of his term and served a total of twelve years on the Iowa supreme bench.

Ruined Hands

Parents who hear from their offspring the complaint: "I never can do a thing, never can have anything," may be sure it's nothing new, either in Iowa or elsewhere.

Sixteen-year-old Elizabeth Gurney Taylor wrote that phrase in her diary about 100 years ago.

Elizabeth was peeved on February 10, 1857, because she had to stay home and do household chores instead of attending a school program. She said she was ruining her hands by "washing dishes and cleaning spittoons."

Elizabeth lived on a farm near Three Rivers, Michigan. Her diary is part of the University of Michigan's historical collection.

Grasshopper Invasion

By M. M. MORRIS

Eye witness stories of untimely grasshopper invasions in early Iowa which are quoted in a paper called *Home Missionary*, published in 1874, give us a graphic picture.

Says one observer, "An army of them is passing over my house going eastward. The air is filled as far as you can see. The lower strata look like snow flakes in the air. Higher up, they look like dust sprinkled in the sky. As soon as they strike, they begin to eat. They have excellent appetites and a wide range of diet. Pungent articles are their favorites, but when these fail, they thrive well on corn, grass, leaves or fruit or forest trees, and corn stalks as the hard-tack of the campaigning.

"The corn fields of the prairies melt before them as you look—orchards and forests exhibit the baldness of winter, and the whole country looks as though a fire had passed over. The sound of the grasshopper's eating was as if a drove of cattle were in the field."

Another eye witness described dramatically, "Clouds of grasshoppers seemed like black clouds of smoke as if our prairies were on fire. Soon we heard a sound like the rushing of many waters and then drop! drop! against the window panes and house, and lo, a shower of grasshoppers—leaving our beautiful corn fields rows of ragged bean poles."

Finally, a witness sees a repetition of the old Bible scenes as he observes, "The second chapter of Joel might literally be applied to our western plains today. These insects come like a strong people in battle array with a noise of chariots up on a mountain of fire, that devoureth the stubble. They march every one his own way and do not break ranks. Before them the Garden of Eden; behind them, a desolate wilderness."

Iowa People and Events . . .

Placed Executive Visitors at Ease

Prior to 1902, Gov. Leslie M. Shaw and previous Iowa executives occupied the large central room in the executive suite in the west wing of the Iowa state capitol. He sat at a walnut cabinet desk, the forerunner of the roll-top, or maybe a dignified variety of the covered business desk. At his side was a comfortable rocking chair having a wicker back and bottom in which visitors were seated when conferring with the state's chief, a procedure he had perfected in his Denison law office, no doubt. A coat room, lavatory and a vault were accessible from the room, and staff members occupied a room to the south.

Succeeding Governor Shaw, in January, 1902, Gov. Albert B. Cummins moved the private office of the executive to the large reception room at the west side of the suite and procured the mammoth mahogany desk that since has graced that office, but retained the comfortable rocker for use of executive visitors.

Just when the rocking chair disappeared is not recalled, but it was Gov. Nathan E. Kendall, who in 1921, placed the row of stiff-backed chairs to his left on the north arranged with military precision for occupancy by visitors. This plan was evidently imported from Washington, where Nate previously had served as congressman from the Sixth Iowa district and doubtless many times had sat out interviews with U. S. department heads when making official calls for constituents.

The long table in the corner of the room, at which meetings of the state executive council usually were held, is a time-honored institution in the governor's office. The meetings there always hold up other work of the executive, who cannot excuse himself from its

deliberations without absenting himself from his own office. In later years many meetings of the executive council have been held in the suite of its secretary.

Iowa Farmers Need Market Outlets

Since the modern transformation of the old familiar Iowa family farm home by consolidation with other like farms into the big industrial production areas of farm grains and the raising of vastly larger herds of cattle and hogs, over-production has served to greatly reduce the sale price of farm products as the support of same by the government has been gradually withdrawn.

Recognizing that this amazing growth in production mostly has been responsible for farm ills not only in Iowa but in all the great midwest area, the National Planning Association now insists that government agricultural scientists spend too much time trying to devise new ways of making "two blades of grass grow where one grew before."

In a study by its agricultural committee, that association charges that agricultural research has taught farmers how to expand production, but not how to enlarge markets enough to take the increased output. As a result, it holds that farm production on the new commercial operator basis now persistently outruns markets, with resulting depressed prices and incomes.

"Unquestionably, the top problem in American agriculture today—over-production—should be given much greater attention in publicly supported agricultural research," the association asserts. It pointed specifically at research by the agriculture department and by land-grant state agricultural colleges, such as Iowa's great agricultural institution at Ames.

The commission believes a change in emphasis in the research field is essential because the country's "farm plant is over-extended" and "production and demand are out of balance." It said further that prospects appear dim for bringing about a balance in the next 10 years.

The association says that future research—while not abandoning work in the production field—should concentrate on ways of bringing about adjustments in farm production to market needs, of improving distribution of farm products and of helping uprooted farm families as well as adversely affected communities adjust to new conditions. "More emphasis should be given," it insists, "to research on the characteristics of consumer purchase patterns and on ways and means of increasing the consumption by low-income groups of high-quality foods, especially meat and dairy products."

Moreover, more attention should be given to the "social and economic costs" borne by families uprooted or bypassed by the technological changes in agriculture. To quote further, "The public is spending large sums to introduce new technology and new capital into agriculture. What is the public responsibility for relocation and adjustment costs of displaced families?"

Suggestion is made that greater public aid be afforded in finding and developing economic opportunities for those forced out of farming. Lauren K. Soth, editor of the editorial pages of the *Des Moines Register* and *Tribune* is chairman of the committee that prepared the study.

Long State Fair Board Service

With the death of Harold L. Pike of Whiting, last spring, another of the long-time members of the Iowa State Fair board brought to a close a remarkable service. He went on to the board December 10, 1902, and died April 10, 1957, still a member of the body, the longest period served by any other member.

Perhaps the excellence of the great Iowa agricultural exposition and fair through the years has been occasioned by the most valuable service over long periods by the individuals responsible for its management. Only one of the several strong men comprising the able

management the past forty years remains in the person of Frank E. Sheldon of Mount Ayr, who now past 91 years old has been a temporary resident of California the past year.

Among many other excellent and qualified men serving on this important board, the group having longest service, many during the same period or lapping over terms were Charles E. Cameron July 4, 1900 to 1931, Charles W. Phillips Dec. 12, 1900 to 1916, Edward J. Curtin Dec. 9, 1908 to 1925, Chas. F. Curtiss Dec. 13, 1905 to 1937, John P. Mullen April 4, 1911 to 1947, F. E. Sheldon Dec. 14, 1910 to 1946 and H. L. Pike Dec. 10, 1902 to 1956.

Other capable men likewise served well the fair board for long periods. Also, three well-known secretaries, John C. Simpson, Arthur E. Cory and Lloyd B. Cunningham each for many years ably managed details of these Iowa agricultural expositions.

Governmental Economy

Notwithstanding the tremendous governmental expenditures that total unbelievable sums, there comes evidence of economy practiced in certain U. S. departments. This develops here in Iowa by the close of the Federal census office at Des Moines, which transpired at the end of January this year.

The shutdown of this branch of the census activity makes only a small dent in Federal spending, of course, but those responsible for the saving are entitled to modest credit. The action comes after the branch had been open three and one-half years. The manager was transferred to Detroit and the assistant manager to the Chicago office as an assistant there. The other five employees of the office decided to remain in Des Moines and seek other employment.

The work formerly handled by the Des Moines office was split between Kansas City and St. Paul offices.

The shutdown is part of a reorganization that has resulted in the cutting of regional census offices from

68 to 34 in 1952, and now to 17. The next Federal census will be taken in 1960.

Oskaloosa Bandstand Honored

The old wooden bandstands that once graced the lawns upon the courthouse squares in Iowa or rivaled as attractions in the city parks the popcorn bars and the animal cages are only a memory, being largely extinct. But occasionally one attains notoriety in these later days. One even found usefulness down at Washington in becoming the model from which was designed a huge sign appropriately carried on a 40 foot float of the musician's union in the inaugural parade this year. Passing the reviewing stand it attracted the especial attention of President and Mrs. Eisenhower and Vice-president and Mrs. Nixon, stopping long enough for its 20-piece band to play a special number for the president and his party.

The replica had been sturdily constructed upon the large float at a cost of \$10,000, duplicating in every detail the old bandstand so familiar many years ago to residents of Oskaloosa, being copied from an old picture of the stand taken in 1892 found in the New York public library.

Religious Zeal Pictured

They set forth on foot, sometimes as far as two hundred miles, to attend a protestant fellowship meeting; next, they took to the path by horseback and when there were roads and bridges they rode in their wagons, singing and praying, stopping at log cabins, unannounced, for entertainment, refreshment and overnight accommodations. In the language of an old timer, quoted from the "Home Missionary," 1874, the observer says reverently, "The best part of all was to see them after the meeting, shaking hands with each other."—*Pilgrims of Iowa*.

Iowa's Notable Dead . . .

NELSON G. KRASCHEL, farmer, livestock auctioneer, and governor of Iowa during the New Deal era, died at his home in Harlan, Iowa, March 15, 1957; born on a farm near Macon, Illinois, October 27, 1889, spending his boyhood there; son of Fred K. and Nancy Jane Kraschel; in 1910, when 21 years of age, removed to Harlan, Iowa, where he engaged in farming and raising of livestock, later becoming an auctioneer, specializing in purebred livestock; married April 12, 1913, to Agnes Johnson; studied public speaking as preparation for the career of livestock auctioneering; was placed upon the 1932 Democrat state ticket as a candidate for lieutenant governor through convention nomination to replace Francis G. Cutler of Boone, who withdrew after receiving the nomination in the primary, and gained the election; re-elected in 1934; then elected governor, serving from 1937 to 1939; subscribed to the principles and policies of the Franklin Roosevelt administration and gave support to the agricultural program of Henry A. Wallace, secretary of agriculture; threw the full weight of his administration behind the policy of support of agricultural prices; embarrassed by the strike situation in 1938 at the Maytag Co. plants in Newton, resulting in the sending of troops there; faced an unfriendly control of the state legislature by Republicans, conflicts becoming frequent; interested in farm legislation and sought to encourage the development in southern Iowa of production of beef calves to be shipped to other parts of the state for feeding purposes; also interested in the reduction in farm tenancy in Iowa and increased owner operation of farms; became involved in a violent inter-party altercation with Harry L. Hopkins of the Roosevelt administration over the contest in the Iowa primary election of Senator Guy M. Gillette and Representative Otha Wearin for United States senator, Kraschel being for Gillette, the campaign against the latter being a part of the "purge" efforts to dislodge those who had refused to support the president's attempt to "pack" the U. S. supreme court, which failed in Iowa and elsewhere, Gillette winning both in the state primary and fall election; the Kraschels lost two sons in the World War II period, Dick having been killed in 1943 while serving as a test pilot for experimental aircraft at Niagara Falls, N. Y., and James on Okinawa in September, 1945, an army air force flight engineer; the oldest son, Frederick, also having a distinguished World

War II career; survived by his widow, Agnes, his step-daughter Peggy and son Frederick, a manufacturers representative in Omaha who had been to see his father earlier, but had returned to Omaha just prior to the father's death.

ERNEST R. MOORE, former lieutenant governor of Iowa, legislator and banker, died at Cedar Rapids, Iowa, March 4, 1957; born in Anamosa, Jones county, Iowa, November 1, 1869; son of Joseph and Jane Sloan Moore, of Scotch-Irish descent and natives of Ireland, where they were married and emigrated to America in the early fifties and settled in Iowa; moved with parents to Cedar Rapids in 1877; attended the public schools; enlisted in the Iowa National Guard and served 10 years, resigning his commission in 1897; re-enlisted in Company C, Forty-ninth Iowa as a private and afterward commissioned a first lieutenant and quartermaster, serving in the Spanish-American war on the staff in Cuba; became a banker in Cedar Rapids and president of the American Trust and Savings bank of Cedar Rapids; married December 25, 1902, to Winifred Evans of that city; served as a delegate to county, state and national Republican conventions; became state representative and served in three sessions 1907-11; elected lieutenant governor in 1916, serving two terms; was an unsuccessful candidate for governor of Iowa in 1920, having led in the state primary of the Republican party, but failed to obtain the necessary 35 percent required to be nominated and in the subsequent convention Nate E. Kendall was nominated; had to retire from active politics when he received the appointment as Republican member of the state board of parole in 1937, serving in that capacity three years, retiring at the halfway period upon a six-year term; was a leader locally in many areas of Cedar Rapids business, political, fraternal and civic affairs, upon the water board, county old age pension board, soldiers relief commission and the memorial commission; a thirty-third degree Mason; became grand master of the Iowa supreme lodge in 1924 and served as department commander of the United States Spanish War Veterans; survived by the widow, three daughters, Mrs. Donald T. Brodines of Saxtons River, Vt., Mrs. Robert M. Collins of Council Bluffs and Mrs. Frank W. Davis of Des Moines, and a brother, Samuel of Baltimore; a son having preceded him in death some years ago, a soldier in the army of the U.S.A. in Korea.

JESSECA PENN EVANS-LOEB, glamorous Iowa beauty and artist's model of the 1900s, died the afternoon of May 5, 1957, of a heart attack alone in her cottage, where she had re-

sided for three years at Plainfield, Wisconsin; found sitting in her chair by friends who called the next morning, having suffered a stroke the year previous which had paralyzed her left side; born in Des Moines in the 1880s, the daughter of Mrs. Rounds, who later resided at 1006 Seventh street; grew up here and educated in the city schools; began her art work and professional modeling in the Cumming School of Art in Des Moines; first posed for illustrations, posters and banners; chosen by the celebrated artist Edwin H. Blashfield in the painting of the central figure of a young pioneer woman on the seat of a covered wagon in the painting "Westward," long displayed crowning the grand stairway landing in the stately Iowa capitol building, which brought great renown to both artist and model; married June 19, 1905, at St. Joseph, Michigan, to Ralph W. Evans, advertising manager of the *Des Moines Mail & Times*; continued her art work going East and posing for some of the greatest artists of the country, portraits of her appearing in galleries among the well-known works of art, found also in the famous Louvre in Paris, as well as in America, notable among the latter being the bronze door of the Boston library done by Daniel Chester French, and the decorative panel "Minnesota" by Edwin H. Blashfield displayed in the Minnesota statehouse and another in the Wisconsin state capitol at Madison, and likewise one in the National Art Gallery at Washington, D.C., and her beautiful face and figure adorns murals in the nation's capitol at Washington; reputed to have married four times, one of her husbands being Louis Loeb, born in Cleveland, Ohio, an illustrator for *Harper's* and the *Century Magazine*, who painted her as "Miranda," a portrait which hung in New York's Metropolitan Gallery; an idealist in his art, and his strength lay in allegory and the posing of his models, seeking to develop artistic elements through trying and difficult situations, but highly successful in portraiture; two paintings exhibited in 1906 in New York, both her portraits, one by Mr. Loeb and both bore the name "Jessica," but she was especially proud of a portrait of herself done by Robert Henri that showed her at full length as "The Woman in Black," the canvas then hanging in one of the Philadelphia exhibits as the property of the artist himself; besides working with these painters of renown, she modeled for Mrs. Bryson Burroughs, the sculptress, at her Flushing, Long Island studio, besides posing for other celebrated artists noted for their care in selection of experienced and competent subjects; later a graduate of the Conway School of Acting, becoming an actress and appearing in many plays on the stage; as a member of Mary Mannering's company appeared in "Nancy Stair," and

for a time in Mrs. Fiske's company, in one instance doing an unusual dance, her talents being varied; surviving nearest relatives are cousins, Mr. and Mrs. Clarkson Miller, of New York City, and Mrs. Alice Mack, of Pasadena, California; complying with deceased's request, no services were held and remains taken to Valhalla cemetery in Milwaukee for cremation; a memorial fund established from contributions of friends through the Plainfield Methodist church, of which she was a member.

THOMAS HARRIS MACDONALD, engineer and highway builder, died at College Station, Texas, April 7, 1957; born at Leadville, Colorado, July 23, 1881; son of John and Elizabeth Harris MacDonald; student at Iowa State Teachers College, Cedar Falls, 1899-1900; B.C.E., Iowa State College Agr. and Mech. Arts, Ames, 1904; D. Eng. (hon.), Iowa State College, 1929; married Bess Dunham, March 7, 1907, who preceded him in death in 1935; began his life work in engineering with the Chicago Great Western railroad company, but quickly was secured by the Iowa State Highway Commission, serving as chief builder of Iowa's highway system from 1904 to 1919, when he became chief of the U. S. Bureau of Public Roads in the U. S. Department of Agriculture, Washington, D.C., serving in that capacity from 1919 to 1939; became commissioner public roads, charge public roads administration, Federal Works Agency, 1939, retired from U. S. service 1953; became chief of head highway research center Texas A. and M. College, 1953; decorated Medal of Merit (U.S.); Cross Legion of Honor (France); Knight 1st class Order of St. Olav (Norway); foreign member Masarykova Akademie (Czechoslovakia); recipient Marston Medal for achievement in engineering, Iowa State College, 1939; member American Association State Highway Officials (executive committee), Beta Theta Pi, Tau Beta Pi, Presbyterian; Cosmos Club (Washington); author of papers on highway engineering, administration and finance; achieved distinguished regard nationally as "the father of the nation's highway system," and more than any other one man was responsible for Iowa's early construction of hard-surfaced primary roads; survived by two children, Thomas H. Jr. and Mrs. Charles W. Weidinger.

ELOISE BLAINE CRAM, zoologist, died at San Diego, California, February 9, 1957; born in Davenport, Iowa, June 11, 1896; daughter of Ralph Warren and Mabel LaVenture Cram; educated in the Davenport schools and received her B.S. degree at the University of Chicago in 1918; her M.S. at University of Washington in 1922 and her Ph.D. in 1925 at the same

university; received special study work at American University, Bacteriologist, Armour & Co. packers, Chicago, Illinois, 1918-19; with Zoological Division Bureau Animal Industry, U. S. Dept. Agriculture 1920-36, engaged in research work on parasitic diseases, specializing on domestic and game birds; a member of Washington Academy of Science, Helminthological Society, Washington, A.A.A.S., Society Experimental Biology and Medicine, American Society Tropical Medicine; had resided at Bannockburn Heights, Bethesda 14, Maryland; spending the winter at San Diego with her brother-in-law and sister, Mr. and Mrs. Miles Miller and with her sister, Mrs. Margaret Siemen of Hermit, California; had retired in October 1955, from the United States Health Service's National Institute after more than 35 years as a scientist with the government in Washington, retiring as senior zoologist; was one of the founders of the American Society of Parasitologists and served as its president in 1956; a member of other leading scientific groups, and an associate member of the Medical Society in the District of Columbia; a member of Phi Beta Kappa and of the Sigma Xi and the author of a number of scientific articles on helminth parasites, schistosomiasis and other projects; a member of the American Association of University Women, and was a Presbyterian.

LESLIE E. FRANCIS, lawyer, real estate developer and legislator, died at Des Moines, Iowa, February 11, 1957; born on the farm bordering East Okoboji lake near Spirit Lake, Iowa, April 4, 1871, his parents having homesteaded the tract in May, 1860, three years after the Indian massacre that started March 8, 1857; received his law degree from the State University of Iowa in 1893, and began practice in Spirit Lake; served as Dickinson county attorney from 1895 to 1901, and as state senator from the Forty-seventh Iowa district from 1909 through 1915; ran for the Republican nomination for U. S. senator in the state primary in 1922, being defeated by Sen. S. W. Brookhart; became a wealthy real estate owner and moved to Des Moines in 1917; organized a mortgage and finance company; formed a law partnership with George Cosson, but turned his interest more to real estate, becoming involved in financial difficulties, attributing his reverses in the depression thirties to "chasing after land," having bought real estate from Canada to Mexico and from Florida to California; once owned two refineries, a bank in Ranger, Texas, and was in a wide variety of other enterprises, including a tire factory in Des Moines; was legal adviser to the Iowa liquor control commission from soon after it organized in 1934 until May, 1935; engaged in recent years in

writing and management of rental properties held in Des Moines; was a member of Central Presbyterian Church, a charter member of Wakonda club, the Knight Templars and the Shrine; survived by his widow and a daughter, Mrs. Miriam Francis Dodge, a son having preceded the senator in death.

CLAUD COYKENDALL, civil engineer and former secretary Iowa Good Roads association, died at Ames, Iowa, March 5, 1957; born in Carroll county, Iowa, December 18, 1886; son of William D. and Sarah Coykendall; graduated from the high school at Glidden, Iowa, and entered Iowa State College at Ames in the engineering course in 1906, graduating in 1910; was instructor in the college from 1911 to 1913, then becoming a district engineer for the Iowa State Highway commission from time of its organization until 1918; served as Polk county engineer from 1918 to 1919, and engaged in private paving contracting from 1923 to 1928, afterward serving as administrative engineer and assistant to the chief engineer of the highway commission until becoming engineer for a group of contractors in the building of the Alkan highway to Alaska during World War II; then rejoined the highway commission engineering force and served them until 1947; became executive secretary of the Iowa Good Roads association in 1948, serving in that capacity until 1953; active in alumni organizations and served on the Ames city council from 1930 to 1940; married Mary Young August 23, 1911, at Emmetsburg; a member of the Congregational church; and a former president of the Iowa Engineering society; survived by the widow and a son, John C., at Syracuse, New York, a daughter, Mrs. W. Howard Chase, Hobokus, New Jersey, three grandchildren, and a sister, Mrs. Cleve Straight, Excelsior, Minnesota.

C. GRANT GOOD, importer and authority on Belgian horses, and a former Iowa legislator, died in Boone, Iowa, April 15, 1957; born on a farm in the Pilot Mound vicinity August 15, 1872; the son of John L. and Cathrine Good; educated in the schools of Boone county and two years at Capital City Commercial college, Des Moines; resided in Boone county almost his entire life on his farm in the Ogden vicinity, retiring in 1947 and moved to Boone; was married in May, 1899, to Alice L. Zunkle of Pilot Mound, Iowa; besides farming operations engaged in the importing and breeding of Belgium horses, also doing a large export business in same to Canada, Mexico and the Hawaiian Islands, and in later years in partnership with his son, Lester, dealt in Guernsey

cattle, displaying their livestock many years at state fairs and dairymen's herd meetings; was vice-president of the Belgium Draft Horse Corporation of America and for 38 years had been a member and officer of the organization; also served as president of the Iowa Horse and Mule Breeder's Association, for several terms being its president; was elected and served five terms in the Iowa General assembly as Boone county's representative, first becoming such in 1937; survivors consist of the son, two daughters, two sisters, five grandchildren and two great-grandchildren, the wife having preceded him in death six years previous.

HAROLD LEWIS PIKE, farmer and state fair executive, died at his home in Whiting, Iowa, April 10, 1957; born June 1, 1880, on Pike's farm then known as Whiting Settlement, 3 miles from the present town of that name; moved to the town of Whiting in 1918; farmed in partnership with his brother, Arthur, who died a year ago, and later with an only son, Herbert; elected to the Iowa State Fair board in 1902, upon which he served 54 years; was named in 1903, superintendent of sheep and poultry for the fair; was made superintendent of the fair's cattle department in 1910 and in succeeding years built for the Iowa State Fair one of the best cattle shows in the nation and was elected president of the fair board in 1947; paid special honor by the International Association of Fairs and Expositions in 1950, being named the person performing the longest continuous term of service to a fair of any man in the nation; helped organize in 1910 the Monona County Farm Bureau; a member of the Congregational church, the Sioux City Consistory, Abu Bekr shrine and the Whiting Masonic lodge; made an honorary member last June of the Iowa 4-H girls in recognition of his long service to agriculture; married in 1906 to Edith Whittier, a Whiting school classmate and daughter of a pioneer merchant, and they had celebrated their golden wedding anniversary last year; survivors, in addition to the widow and son, Herbert, are a sister, Mildred Pike, and a brother Robert, both of Sioux City, and two grandchildren.

CHRIS REESE, newspaperman, legislator and state official died at Algona, Iowa, February 9, 1957; born at Hovedgaard, Denmark, June 21, 1881; came to America with his parents in 1891, and the family settled in Storm Lake, Iowa; received a high school education; was married to Jennie Pearl Rucker at Alta, Iowa, September 14, 1902, and from this union came four children, Marian, James, Creston and Donald; entering newspaper work in 1906, edited the *Linn Grove Inde-*

pendent, *Remsen News*, *Carroll Times*, *Marshalltown Marshalltonian* and *Farm-Labor World*, *Marcus News*, *Fenton Reporter* and *Whittemore Champion*; was co-editor of the *Algona Upper Des Moines* to 1945, then purchased the *Ocheyedan Press*; returned to Algona in 1947, to remain in the employ of the *Upper Des Moines* until he was confined to bed last fall; became Marshall county state senator for the 1933-36 term and the special session of 1935; later was a member of the state highway commission and previous to 1939 was assistant state printer; in silent movie days directed an orchestra in a Marshalltown theater; also directed the Fenton and Whittemore bands for several summers, and helped organize and directed a Carroll Catholic church band; for several years was Ocheyedan high school bandmaster; a member of the Knights of Columbus, Moose Lodge, Iowa Press Columnists and the Izaak Walton League; survived by his widow, four sons and daughters, four brothers and two sisters.

CARL BYOIR, newspaperman and public relations specialist, died in New York, N. Y., February 3, 1957; born in Des Moines, Iowa, in 1889; became a reporter on the *Iowa State Register* at 14 and city editor of the old *Waterloo Times Tribune* at 17; entered the State University of Iowa in 1906, with only \$30, all of which went to pay the first semester's tuition fee; was graduated four years later, and had paid all his expenses and had savings of \$6,500 earned by publishing his own and other colleges' yearbooks; after graduation from Columbia University's law school in 1912, published a children's magazine, became an advertising salesman and then went to work for the government as a propagandist; became chairman of the government committee on public information, a forerunner of the Office of War Information of World War II; after the war, engaged in a variety of business undertakings, including the export-import business, several ventures in proprietary medicine and the founding of the American Gear Company; when threatened with blindness due to an acute sinus infection, sought relief in Cuba, where he leased two English-language newspapers; was a director of Schenley Industries, Inc., and the Exchange National Bank of Chicago, Illinois; survived by his widow, the former Grace Lancaster, two daughters, Carlita and Roberta, a brother, Ed Byer of Chicago, and two sister, Mrs. Pauline Sahlein and Mrs. Elizabeth Jacobs, both of Los Angeles.

HARLEY U. GARRETT, state veterinarian, died at Des Moines, Iowa, April 2, 1957; born on a farm near Macksburg, Madison county, Iowa, in 1893; in addition to his general education was graduated from Kansas City Veterinary College and

went immediately to St. Charles, Iowa, where he practiced his profession for 35 years until retirement from active duties in 1946; appointed in 1947 state veterinarian of Iowa, continuing in that capacity until his death; during official service was credited as chiefly responsible for stamping out the 1953 spread of vesicular exanthema in Iowa highly contagious swine disease, as well as improved control of brucellosis, a cattle ailment; served as vice-president of the United States Livestock Sanitary association and a member of the National Veterinary Examining board, also upon the advisory committee of the United States Department of Agriculture; a member of the Westminster United Presbyterian church on Beaver avenue in Des Moines and the Lions club of St. Charles; surviving are the widow, Floye, two sons, Doyle, at Northridge, California, and Kenneth, Colfax, Iowa, and a daughter, Mrs. Nadine Kunz, Minneapolis, Minn.

ARTHUR A. COBURN, former chairman of Iowa State Liquor commission and a retired farmer, died at Cherokee, Iowa, April 29, 1957; born on a farm near Fielding, Cherokee county, October 15, 1880; son of George F. and Mary A. Coburn, who had located there in 1878; educated in the public schools and Buena Vista college, graduating from the latter in 1900; married Anna M. Moessner of Waterloo, who preceded him in death; appointed a member of the Iowa State Liquor commission in 1949, serving one term until June 30, 1955; became chairman of the commission and sponsored the rule which prohibited distilleries selling liquor to the commission from having Iowa sales representatives, blocking purchases from one major company until they dismissed their Iowa representative; also was active in advocating the new liquor warehouse for the state which was built at Camp Dodge and is now in use; was a former member of the Republican state central committee, serving from 1941 to 1949; a member of the Presbyterian church and the Rotary club, a 50-year member of the Masonic lodge and a thirty-second degree Mason, Sioux City Consistory; survived by a son, Franklin of Cherokee; a brother, Francis of Marcus; and a sister, Mrs. Pearl Crocker of Cleghorn.

JAMES E. PATTERSON, lawyer and jurist, died at Cedar Rapids, Iowa, February 10, 1957; born November 15, 1883, at Waynesburg, Pennsylvania; came to Cedar Falls, Iowa, as a youth and grew up there attending the public schools and the Iowa State Teacher's college there, graduating in 1905; served as principal of the schools at West Point, Iowa, also at Plainfield, this state, and then attended the State Univer-

sity of Iowa, graduating in 1911, receiving an LL.B. degree; practiced law three years in Minneapolis preceding removal to Cedar Rapids in 1914, and practiced law there 39 years before being appointed judge of the municipal court by Governor Beardsley, was re-elected in 1955; survived by the widow, one son, Wade S. Patterson, of Minneapolis, a daughter, Pricilla Challed of Whittier, California, a brother, Raymond of San Bernardino, California, and a sister, Henrietta Darr of Chicago.

ALLEN C. DEVANEY, assistant commissioner of immigration and naturalization in the department of justice, died at Washington, D. C., September 2, 1956; born at Cascade, Iowa, September 2, 1904; son of Mr. and Mrs. J. H. Devaney, Sr., of Cascade, where he spent his youth; educated in St. Martin's grade and high schools in Cascade; attended the University of Iowa and Marquette university; received his law degree on graduation in 1927 from Georgetown university in Washington; married Genevieve Peters, formerly of Lincoln, Nebraska, in Washington, in 1927; served in the department of justice 30 years; final heart attack resulting in his death, followed by 11 months a near-fatal similar attack which hospitalized him in Beirut, Lebanon for several weeks during an official tour of a number of European, African and Near-Eastern countries; survived by his widow, two sons, Robert, 19, and Patrick, 7, his mother and father, two brothers and two sisters.

WATSON H. VANDER PLOEGH, banker, lawyer and president of the W. K. Kellogg Co., died at Battle Creek, Michigan, May 28, 1957; born on a farm near Otley, Marion county, Iowa, December 24, 1888, son of Ruard and Pietje (Terpstra) Vander Pleogh, the former a native of Holland and the latter of New York, the paternal grandfather, Dirk Vander Ploegh, having brought the family to America in 1854, located on a farm in Marion county, but in 1857 moved his family to Pella; educated in the Pella public schools and Central Academy at Pella, from which he graduated; later studied law in the office of his brother, Judge William G. Vander Ploegh, and admitted to the bar in 1912, becoming a law partner with his brother in Knoxville; became cashier of the Farmers and Merchants bank and succeeded his father as its president when it became the First National Bank of Pella; afterwards was an Iowa state bank examiner at Des Moines, then in 1931 became a vice president of the Harris Trust Company of Chicago; moved to Battle Creek in 1939 and became president, director and general manager of the W. K. Kellogg Co. suc-

ceeding Mr. Kellogg, and later became chairman of its board, which position he held until his last illness resulting in death; was a director of the Detroit branch of the Federal Reserve Bank of Chicago, a trustee of the Herbert Hoover Foundation, Inc., and the W. K. Kellogg Foundation, chairman of the Battle Creek Railway Consolidated board and a director of the Bankers Life Company of Des Moines, Iowa; was a member of the Baptist church, Masonic order, the Knights of Pythias and a Republican; besides the widow, the former Eva Van Howeling of Pella, is survived by a son, Ruard of Gull Lake, Michigan; a daughter, Mrs. Florence Berghorn, of Lafayette, Indiana; two sisters, Mrs. J. W. Huyser of Pella and Mrs. J. H. Cochrane of Des Moines, and eight grandchildren.

EDWIN M. HOLDEN, Spanish-American war veteran, lawyer and judge, died in Boise, Idaho, January 27, 1957; born at Ottumwa, Iowa, March 26, 1870; attended public schools there and was graduated from the State University of Nebraska's school of law in 1894; practiced law in Nebraska two years before removing to Idaho; elected to the Idaho supreme court in 1932 and served continuously until his retirement in 1950, having held the position of chief justice of the court several times; a veteran of the Spanish-American war, having served as a lieutenant; survivors include the widow, Julia Ethel Thomas Holden, to whom he was married December 24, 1900; two daughters, three sons, a brother, ten grandchildren and ten great-grandchildren.

HIRAM COLE HOUGHTON, JR., banker and president of Iowa Bankers Association, died June 16, 1957, at Red Oak, Iowa; born on July 27, 1884, in the same county seat town where he spent his life; son of Hiram C. and Ella Houghton; graduated from University of Wisconsin in 1906; immediately entered the Houghton State Bank established by his father and continued as an officer until his death, then being chairman of the board, having served in that capacity since 1953, when his eldest son, H. Deemer Houghton, succeeded him as president; a second son, Cole Houghton, became vice-president, and a third son, Hiram Clark Houghton is vice-president of the First National Bank at Iowa City; married Dorothy Deemer in 1912, who also is well-known in Iowa public life, being former president of the General Federation of Womens Clubs, and former assistant director of the U.S. Foreign Operations Administration; was an active factor in the business and civic life of his town and community; was city treasurer, school board treasurer, president of the airport commission and president of the Red Oak Savings and Building association; was a

member of the Congregational church, the Masons, the Elks, a charter member of the Rotary club and a member of the board of the Chamber of Commerce; surviving are the widow, the three sons and a daughter, Mrs. John J. Williams, Red Oak, nine grandchildren and two sisters, Mrs. Roy T. Will and Mrs. Henry Heckert, both of Red Oak.

IRA ELBERT BENNETT, retired editor-in-chief of the *Washington Post* died at Washington, D.C., March 26, 1957; born at Lyons, Iowa, November 2, 1868; son of Francis Rodolphus and Marietta Peck Bennett and a descendant of William Bradford, first governor in the colonies, and of the Holbrook family of Vermont; had a common and private school education; received Litt. D. at Lincoln Memorial University, 1926; married Mabel Dorman Fyler February 17, 1896; was the editor of *Lower Californian*, Ensenada, Mexico, 1889-90; city editor *Union*, San Diego, California, 1892-97; Washington correspondent *San Francisco Chronicle*, 1900-05; editorial writer, 1905-08, editor-in-chief 1908-33 *Washington Post*; special correspondent of McClure Newspaper Syndicate, 1934-38; had been managing editor of *National Republic* magazine since 1953, having previously contributed articles to it; also a contributor to other magazines; staff consultant to the committee on foreign affairs, House of Representatives, 1949-51; decorated by several foreign governments; a Republican; member of Gridiron club, president, 1917, and co-founder of National Press club; surviving in addition to his widow are a daughter, Mrs. Claude Langlais of 3818 Davis place N.W., Washington, D.C., a brother, Joseph H. Bennett of Piedmont, California, a granddaughter and two great-grandchildren.

PHILIP DUFFIELD STONG, reporter and author, died at Washington, Connecticut, April 26, 1957; born at Keosauqua, Iowa, January 27, 1899; son of Benjamin and Ada Bresta Stong; received an A. B. degree at Drake University in 1919, LL.D. in 1947 and a graduate student in 1924-25; also graduate student Columbia university 1920-21, University of Kansas 1923-24; received Litt.D. from Parsons college in 1929; married Virginia Mause Swain in 1925, who survives him; a reporter on staff of *Des Moines Register* in 1928, followed by editorial work on various newspapers and the Associated Press; writer of fiction issuing a number of books, besides magazine articles.

IOWA STATE DEPARTMENT OF HISTORY AND ARCHIVES

Claude R. Cook, Curator
Des Moines

An institution of the State of Iowa, located at the seat of government, established as a department of the State in 1892, and administered by a Curator elected by a Board of Trustees composed of the Governor of the State, a Justice of the Iowa Supreme Court and the Superintendent of Public Instruction. It consists of the following divisions:

The Public Archives of the State of Iowa

The State Census Records of Iowa

The War History Division—Iowans in Four Wars

The G.A.R. Collection

The Portrait Gallery of Iowa, exhibiting oil portraits of the outstanding men and women who have contributed to Iowa culture, official life and progress.

The Museum Division: Indian, geology, pioneer life, transportation, and natural history collections and exhibits

The Iowa Historical and Genealogical Library

Publication: *ANNALS OF IOWA, a Magazine of History*

The Newspaper Division—Files of Iowa newspapers and periodicals from territorial days to the present

The Manuscript Collection including papers, addresses, documents and correspondence of eminent Iowans, supplying unrecorded chapters in state history

In the interest of preserving Iowa history, the Curator solicits the presentation, to the Manuscript Collection, of letters, diaries, family histories, and general manuscripts about Iowans and institutions in the area of which the state is a geographical part.

ANNALS OF IOWA

In the more than half a century the *ANNALS OF IOWA* has been published, it has been a repository for, and made available, a vast amount of valuable data on the history of the State otherwise not accessible. The securing of material, and editing and supervising its publication, is a part of the immediate task of carrying on the work of the Department in harmony with established traditions.

Bound files of the publication are preserved in countless libraries of the State, and may be consulted by those engaged in research and historical writing.

